



AGENDA
N.C. WILDLIFE RESOURCES COMMISSION
December 8, 2022, 9:00 a.m.
1751 Varsity Drive
NCWRC Conference Room, 5th Floor
Raleigh, North Carolina

CALL TO ORDER – *Chairman Monty Crump*

This electronic meeting is being streamed live for the public to attend and recorded as a public record. The recording of the meeting will be available at www.ncwildlife.org.

PLEDGE OF ALLEGIANCE – *Commissioner Steve Windham*

INVOCATION – *Commissioner Tom Berry*

ROLL CALL OF COMMISSIONERS PRESENT – *Margo Minkler, Commission Liaison*

MANDATORY ETHICS INQUIRY – North Carolina General Statute §138A-15 mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquires as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the Commission at this time. It is the duty of each Commissioner who is aware of such personal conflict of interest or of an appearance of a conflict to notify the Chair of the same. – *Chairman Crump*

RECEIVE STATE ETHICS COMMISSION REVIEWS OF 2022 STATEMENT OF ECONOMIC INTEREST FOR COMMISSIONERS MONTY R. CRUMP, THOMAS L. FONVILLE, KELLY N. DAVIS, STEPHEN L. WINDHAM, MARK R. CRAIG, JAMES M. RUFFIN – Pursuant to NCGS §138A-15(c), any actual or potential conflict of interest by a public servant sitting on a board and cited by the Ethics Commission under NCGS 138A-24(e) is required to be read into the minutes of the applicable board. Read into the Minutes relevant portions of the evaluations by the N.C. Ethics Commission of the 2022 Statements of Economic Interest for Monty R. Crump, Thomas L. Fonville, Kelly N. Davis, Stephen L. Windham, Mark R. Craig, James M. Ruffin– *Margo Minkler*

APPROVAL OF OCTOBER 20, 2022 MEETING MINUTES – Take action on the October 20, 2022 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT A)**

APPROVAL OF NOVEMBER 3, 2022 MEETING MINUTES – Take action on the November 3, 2022 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT B)**

FINANCIAL STATUS REPORT – Receive Financial Status Report on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund. – *Dr. DP Singla, Chief Financial Officer (EXHIBIT C)*

SPECIAL PRESENTATIONS

Lawrence G. Diedrick Small Game Award – Present the 2022 Lawrence G. Diedrick Small Game Awards to Wake County Wildlife Club and Kathryn Booher – *Brad Howard, Wildlife Management Division Chief*

BREAK FOR PHOTOGRAPHS

COMMITTEE MEETING REPORTS

Habitat, Nongame, Endangered Species Committee Report – Dec. 7, 2022 – *Mark Craig, Chair*

Boating Safety Committee Report- December 7, 2022– *John Coley, Chair*

Education and Communication Committee Report – December 7, 2022 – *Kelly Davis, Chair*

Land Acquisitions and Property Committee Report – December 7, 2022 – *Tom Berry, Chair*

Rules Committee Report – December 7, 2022 – *Wes Seegars, Chair*

Committee of the Whole Report – December 7, 2022 – *Monty Crump, Chair*

AGENCY SPOTLIGHT – Our Conservation Legacy – *Dr. David Cobb, Research Director*

LAND ACQUISITION AND PROPERTY MATTERS

Phase II Land Acquisition – Consider final approval to proceed with acquisition of the following properties – *Ben Solomon, Assistant Chief and Land Acquisition Manager (EXHIBITS D-1, D-2, D-3, D-4, D-5, D-6)*

- Corbett Tract – Pender County **(D-1)**
- Looking Glass Run Tract – Halifax Counties **(D-2)**
- Panther Branch Tract – Montgomery County **(D-3)**
- Sanford Depot – Lee County **(D-4)**
- Grimesland DOT Site – Pitt County **(D-5)**

Other Property Matters – Consider staff recommendation for other property matters – *Ben Solomon (EXHIBITS E-1, E-2, E-3, E-4)*

- Trade Concept – Consider approval of a land trade associated with South Mountains Game Land, Linville River Game Land, and a private landowner **(E-1)**
- Lease Request – Consider a request for long term lease of the Mattamuskeet Lodge in Hyde County **(E-2)**
- Request for Easements - NC DOT requests a Right of Way Acquisition, Permanent Utility Easement,

and Temporary Construction Easement for addition of a median to the adjacent road in Montgomery County (E-3)

- Request for Easements– NC DOT requests a Permanent Drainage Easement for replacement of an old bridge in Columbus County (E-4)

WATER SAFETY RULEMAKING

Permanent Rulemaking Adoption – 15A NCAC 10F .0314 New Hanover County – Review public comments and consider final adoption of extension of the no-wake zone in part of Bradley Creek in Wilmington – *Betsy Haywood*, Water Safety Rules Coordinator (EXHIBITS F-1, F-2)

Permanent Rulemaking Adoption – 15A NCAC 10F .0361 Wilkes County – Review public comments and consider final adoption to extend no-wake zones at Dam Site Park and to incorporate the entire cove where Smithey’s Creek Boat Ramp and ADA Fishing Area and Fort Hamby BAA are located, to incorporate the Safety Zone adjacent to the dam, and to replace vague text language and itemize descriptions and locations of existing no-wake zones and marked swim areas – *Betsy Haywood* (EXHIBITS G-1, G-2)

Permanent Rulemaking Adoption – 15A NCAC 10F .0336 Northampton and Warren Counties – Review public comments and consider final adoption of the no-wake zone at the Stonehouse Timber Lodge Marina on Lake Gaston in Littleton; and the no-wake zone within 50 yards of the new Odom Boating Access Area on the Roanoke River in Jackson – *Betsy Haywood* (EXHIBITS H-1, H-2)

Permanent Rulemaking Adoption – 15A NCAC 10F .0326 Pamlico County – Review public comments and consider final adoption of technical changes to the descriptions and addresses of four Boating Access Areas in Pamlico County – *Betsy Haywood* (EXHIBITS I-1, I-2)

Permanent Rulemaking Adoption – 15A NCAC 10F .0327 Montgomery County – Review public comments and consider adoption of technical correction to add the address of the Old North State Marina on Badin Lake – *Betsy Haywood* (EXHIBITS J-1, J-2)

Permanent Rulemaking Adoption – 15A NCAC 10F .0301 General Provisions – Review public comments and consider adoption of a technical correction to remove language that limits the size of a Safety Zone where vessel access is denied – *Betsy Haywood* (EXHIBITS K-1, K-2)

Permanent Rulemaking Notice of Text – 15A NCAC 10F .0308 Clay County – Consider request as part of the agency’s Periodic Review of Rules to publish Notice of Text with open comment period and public hearing to extend the no-wake zone at the Ho Hum Campground boat ramp; to remove the no-wake zone in McCracken Cove for lack of necessity; to incorporate a marked Swim Area at the Clay County Recreational Park; and to incorporate a Restricted Area denoting the existing Jack Rabbit swimming area and no-wake zone – *Betsy Haywood* (EXHIBIT L)

Permanent Rulemaking Notice of Text – 15A NCAC 10F .0316 Forsyth, Rockingham, and Stokes Counties – Consider application from Rockingham County to publish Notice of Text with open comment period and public hearing, to establish no-wake zones at two locations at Humphrey’s Ridge Marina and Campground on Belews Lake in Stokesdale – *Betsy Haywood* (EXHIBIT M)

Permanent Rulemaking Notice of Text – 15A NCAC 10F .0333 Lake Wylie Marine Commission, Mecklenburg County – Consider application from the Lake Wylie Marine Commission to publish Notice of Text with open comment period and public hearing, to establish a no-wake zone in the waters of Withers Cove on Lake Wylie, in the waters shore to shore in the vicinity of the Mecklenburg

Charlotte Fire and Police Department and Shopton Road West Bridge on Route 1116 – *Betsy Haywood* (EXHIBIT N)

Permanent Rulemaking Notice of Text – 15A NCAC 10F .0379 City of Roxboro– Consider application from the City of Roxboro to publish Notice of Text with open comment period and public hearing, to establish a no-wake zone in a narrow channel, shore to shore in the open part of Lake Roxboro – *Betsy Haywood* (EXHIBIT O)

Permanent Rulemaking Notice of Text – 15A NCAC 10F .0355 Perquimans County, Town of Hertford, Perquimans River – Consider application from the Town of Hertford to publish Notice of Text with open comment period and public hearing, to extend the existing no-wake zone in the Perquimans River to 190 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S-Bridge, in the navigation channel and to the east and southward to the shoreline of the Town of Hertford. Consider adoption of Fiscal Note. – *Betsy Haywood* (EXHIBITS P-1, P-2)

RULEMAKING

Permanent Rulemaking Notice of Text - Consider request to publish Notice of Text with an open comment period and public hearings for 15A NCAC 10D .0232 Gull Rock Game Land in Hyde County – *Ashley Pekrul, Regulatory Analyst* (EXHIBIT Q)

Permanent Rulemaking Adoption – 10I .0103 - .0105 Endangered, Threatened, and Special Concern Species – Review public comments and consider adoption of 10I .0103-.0105 Endangered, Threatened, and Special Concern Species, to modify protected animal lists – *Ashley Pekrul* (EXHIBITS R-1, R-2)

Permanent Rulemaking Adoption – 15A NCAC 10B .0201 Prohibited Taking and Manner of Take – Review public comments and consider request to readopt 15A NCAC 10B .0201 Prohibited Taking and Manner of Take to clarify the use of deer excretions – *Ashley Pekrul* (EXHIBIT S-1, S-2)

2023 WILDLIFE RESOURCES COMMISSION MEETING SCHEDULE - Consider approval of the proposed 2023 Wildlife Resources Commission meeting schedule – *Cameron Ingram, Executive Director* (EXHIBIT T)

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN

EXHIBIT A



MINUTES

October 20, 2022

**N.C. Wildlife Resources Commission Meeting
Cherokee Convention Center, Hickory Room
Cherokee, North Carolina**

Chairman Monty Crump called the October 20, 2022, N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Hickory Room at the Cherokee Convention Center. Crump reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org.

Commissioner Brad Stanback led the Pledge of Allegiance.

Commissioner Hayden Rogers gave the invocation.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. John Coley, Tom Berry, Mark Craig, and Mike Alford were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Jim Ruffin	John Stone	Ray Clifton
Thomas Fonville	Wes Seegars	Kelly Davis	Landon Zimmer
David Hoyle	Hayden Rogers	Tom Haislip	J.C. Cole
Brad Stanback	Steve Windham	John Alexander	

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

MINUTES

On a motion by David Hoyle and second by Landon Zimmer, the Commission approved the Minutes of the following meetings:

APPROVAL OF AUGUST 11, 2022 MEETING MINUTES –The August 11, 2022 Wildlife Resources Commission meeting minutes were approved as presented in **(EXHIBIT A)**

APPROVAL OF AUGUST 18, 2022 MEETING MINUTES –The August 18, 2022 Wildlife Resources Commission meeting minutes were approved as presented in **(EXHIBIT B)**

APPROVAL OF SEPTEMBER 13, 2022 MEETING MINUTES –The September 13, 2022 Wildlife Resources Commission meeting minutes were approved as presented in **(EXHIBIT C)**

Exhibits A, B, and C are incorporated into the official record of this meeting.

ADMINISTRATION

Dr. DP Singla, *Chief Financial Officer*, presented a status report in **EXHIBIT D** on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund.

Exhibit D is incorporated into the official record of this meeting.

COMMITTEE MEETING REPORTS

Rules Committee Report – September 13, 2022 – *Wes Seegars, Chair*, reported the Rules Committee held an out of cycle meeting on September 13, 2022, to review rule proposals for the 2023-2024 annual rulemaking cycle. First, Daron Barnes, *Land and Water Access Division Chief*, introduced 12 proposed changes to game land management rules, and after discussion, the committee recommended moving forward with 11 proposals. Christian Waters, *Inland Fisheries Division Chief*, followed up with the proposed rules for inland fisheries. Nine proposals were presented, and all are recommended to move forward. Lastly, Brad Howard, *Wildlife Management Division Chief*, introduced the proposed wildlife management rule changes, and the committee recommends moving forward with all eight proposed changes. The final rule proposals for the 2023-2024 annual cycle will be presented at the meeting today for vote to notice text and open the public comment period.

Migratory Birds and Waterfowl Committee Report – October 19, 2022 – *Wes Seegars, Vice-Chair*, reported the Migratory Bird and Waterfowl Committee met on October 19, 2022, and received several interesting updates and reports from Doug Howell, *Migratory Game Bird Coordinator*. Doug presented a brief update on the Dove Hunter opinion survey that just closed. Next, Doug shared information with us about the black-bellied whistling ducks range expansion and the documentation of breeding in North Carolina. Finally, Doug gave a very good report on the recent American black duck study and all the interesting information learned about North Carolina's breeding black duck population. Having no further business, the Committee adjourned.

Fisheries Committee Report – October 19, 2022 – *John Stone, Chair*, reported that the Committee met on October 19, 2022. Powell Wheeler, *District 9 Fisheries Biologist*, provided a new stocking effort to maintain Smallmouth Bass in Fontana Lake and Lake James that began in spring of this year, and over the next few years, staff will continue stocking and monitoring the population to evaluate the efficacy of this effort. Jake Rash, *Mountain Region Coldwater Fisheries Research Coordinator*, presented an update on how other state, federal, and tribal agencies across the southeast manage catch and release stocked trout fisheries. Chris Wood, *District 8 Fisheries Biologist*, provided an overview of Walleye management throughout reservoirs in Western North Carolina where invasive species introductions, especially river herring, have created challenges for Walleye recruitment. Christian Waters, *Inland Fisheries Division Chief*, provided an update on plans under development which include reservoir Striped Bass and Bodie Bass, Black Bass, Trout, and Walleye. Christian shared that trout will be available this year for the Winter Trout Small Impoundment Stocking program which provides trout for small impoundments as far east as Tarboro. Christian also explained that estuarine Striped Bass management is scheduled to be discussed at the November Marine Fisheries Commission meeting. An additional update will likely be provided at the December Commission meeting.

Finance, Audit and Compliance Committee Report – October 19, 2022 – *Landon Zimmer, Chair*, reported that the Finance Committee met yesterday, Oct 19, 2022. Dr. DP Singla, *Chief Financial Officer*, presented a comparison of the current fiscal year 2023 and fiscal year 2022 for periods ending in August, showcasing both revenues and expenditures for the General and Capital Improvement funds. Explanations were provided for any variances of more than one million dollars. In addition to explaining earning details in the Bond Index Fund and Equity Index Fund, the Committee also reviewed the balances and Asset Allocation of the Endowment Fund as of August 2022. Then, Gary Gardner, *Engineering Division Chief*, presented a 4-year forecast of Capital Improvement projects where Endowment Funds will be needed. This 4-year forecast equals almost \$47 million, with the Samarcand facility being about \$10 million and the Setzer Hatchery being about \$35 million. Gary's presentation was then followed up by Dr. DP Singla who discussed the Bond Index Fund and Equity Index Fund ratios for further direction to the WRC staff. Finally, the Finance Committee agreed to continue the transfer of funds from Bond Index Fund to Equity Index Fund in the amount of \$2,000,000 each month for 12 months starting in the month of November 2022 and will assess again next year in October 2023.

Motion from the Finance, Audit, and Compliance Committee – On a motion by Brad Stanback, and second by Jim Ruffin, the Commission approved a motion to move \$2 million per month from the Endowment Fund's Bond Index Fund to the Equity Index Fund for a period of twelve months beginning November 2022.

Big Game Committee Report – October 19, 2022 – *David Hoyle, Chair*, reported the Big Game Committee met yesterday, October 19th. The Committee received a presentation from Dr. Christina Watkins, *Lead Social Scientist*, on the recently completed elk landowner survey. James Tomberlin, *WMD Mountain Regional Operations Supervisor*, then updated the Committee on the current ongoing efforts of CWD work both statewide and most specifically in the surveillance area. Finally, we received an update from Jessica Braunstein, a doctoral student with the University of Tennessee, who gave us an overview and update of the current elk population estimation and modeling work. All the field sampling work has been completed, and the final report should be finished by next spring. Having no further business, the Committee adjourned.

Committee of the Whole Report – August 17, 2022 – Monty Crump, Chair, The Committee of the Whole met yesterday at 2:00. The meeting began with the presentation of the 2023-2024 annual cycle rules for notice of text and the proposed adoption of temporary rules for the surveillance areas. Next, we received incredibly valuable updates from our partners at the Eastern Band of Cherokee Indians by Natural Resources Director Mike Lavoie, the United States Forest Service by the National Forests in North Carolina Forest Supervisor James Melonas, and the Great Smoky Mountains National Park by Wildlife Technician Ryan Williamson. Next, the Committee received a very informative update from Hannah Plumpton on Ruffed Grouse and an update on rabbit hemorrhagic disease from Brad Howard. In other business, Daron Barnes gave a brief update on agency activities for the Caswell small game, game land. Finally, after a few housekeeping items, and there being no further business, the meeting was adjourned at 3:20.

SPECIAL PRESENTATIONS

2022 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD PRESENTATION – Executive Director Cameron Ingram presented the 2022 Thomas L. Quay Wildlife Diversity Award to Jean Beasley for her exemplary leadership for the conservation of sea turtles in North Carolina.

Director Ingram read a Resolution, unanimously adopted by the Commission, in honor of Jean Beasley and presented her with a canvas print.

2022 SPORT FISH RESTORATION AWARD – Lynn Quattro, the President-Elect of the American Fisheries Society’s Fisheries Administration Section, presented the 2022 Sport Fish Restoration Award for Research and Surveys to the Inland Fisheries Division for the project “Exotic-Invasive Trout Pathogens in North Carolina.” –

AGENCY SPOTLIGHT

AGENCY SPOTLIGHT – THE HISTORY OF PUBLIC MOUNTAIN TROUT WATERS: LOOKING BACK AT 75 YEARS OF TROUT MANAGEMENT IN NORTH CAROLINA– Jacob Rash, *Coldwater Research Coordinator*, gave the 75th anniversary spotlight where he focused on the Commission’s history of trout management in the mountains of North Carolina.

RULEMAKING

Notice of Text – 2023-2024 Annual Cycle Rules – Inland Fisheries – On a motion by Hayden Rogers and second by Ray Clifton, the Commission approved publishing Notice of Text in the NC Register with an open comment period and a public hearing for proposed changes to inland fisheries rules (**Exhibit E-1**) and approved fiscal notes for proposed rule (**Exhibit E-2**) presented by Christian Waters, *Inland Fisheries Division Chief*

EXHIBITS E-1 and E-2 are incorporated into the official record of this meeting.

Notice of Text – 2023-2024 Annual Cycle Rules – Land and Water Access – On a motion by David Hoyle and second by Wes Seegars, the Commission approved publishing Notice of Text in the NC Register with an open comment period and a public hearing for proposed changes to land

and water access rules (**Exhibit F-1**) and approved fiscal notes for proposed rule (**Exhibit F-2**) presented by Daron Barnes, *Land and Water Access Division Chief*.

EXHIBITS F-1 and F-2 are incorporated into the official record of this meeting.

Notice of Text – 2023-2024 Annual Cycle Rules – Wildlife Management – On a motion by David Hoyle and second by Ray Clifton, the Commission approved publishing Notice of Text in the NC Register with an open comment period and a public hearing for proposed changes to wildlife management rules (**Exhibit G-1**) and approved fiscal notes for proposed rule (**Exhibit G-2**) presented by Brad Howard, *Wildlife Management Division Chief*.

EXHIBITS G-1 and G-2 are incorporated into the official record of this meeting.

Temporary Rulemaking Adoption – 15A NCAC 10D .0503 Surveillance Areas – On a motion by Steve Windham and second by Jim Ruffin, the Commission reviewed public comments (**Exhibit H-1**) and adopted proposed temporary changes to temporary surveillance areas regarding deer excretions (**EXHIBIT H-2**) presented by Brad Howard.

EXHIBIT H-2 is incorporated into the official record of this meeting.

COMMENTS FROM THE CHAIRMAN – Chairman Crump provided information on the upcoming meeting to discuss the Mattamuskeet Lodge with NC Department of Natural and Cultural Resources, and he thanked Commissioner Seegars and Commissioner Davis for all their work to prepare for the meeting. In closing, he shared his appreciation for the many conservation partnerships in mountain region of North Carolina. With a special thanks to the local legislators, Eastern Band of Cherokee Indians, United States Forest Service, and United States National Park Service for hosting events, attending meetings, and their informative presentations to the board.

COMMENTS FROM THE EXECUTIVE DIRECTOR – Executive Director Cameron Ingram shared his appreciation to the Eastern Band of Cherokee Indians, Commissioner Rogers, and Commissioner Stanback for hosting events. Additionally, he acknowledged staff for their efforts to plan and prepare for the meeting in Cherokee.

ADJOURNMENT

There being no further business, the WRC webinar meeting was adjourned at 10:07 a.m. All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman

Date

NCWRC Meeting
October 20, 2022
Minutes

Cameron Ingram, Executive Director

Date

EXHIBIT B



MINUTES
November 3, 2022
N.C. Wildlife Resources Commission Webinar Meeting
Raleigh, North Carolina

Chairman Monty Crump called the November 3, 2022, N.C. Wildlife Resources Commission (NCWRC) webinar meeting to order at 11:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Crump announced that the webinar meeting audio is being streamed live and will be available on www.ncwildlife.org. He reminded Commissioners to speak their names before making motions or comments and to mute their devices when not speaking. Crump announced that by the statutory requirement, the roll will be called for attendance and for each vote.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. Wes Seegars, John Coley, Landon Zimmer, Tom Berry, Jim Ruffin, Steve Windham, John Stone, Tom Haislip, and Hayden Rogers were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Mark Craig	Mike Alford
Thomas Fonville	Kelly Davis	J.C. Cole
David Hoyle	Ray Clifton	
Brad Stanback	John Alexander	

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

RULEMAKING

Temporary Rulemaking Adoption – 15A NCAC 10D .0229 Goose Creek Game Land in

Beaufort and Pamlico Counties – The Commission reviewed public comments (**EXHIBIT A-1**) and, on a motion by Brad Stanback and second by John Alexandar, the Commission adopted a temporary rule for Goose Creek game land. (**EXHIBIT A-2**) presented by *Daron Barnes, Land and Water Access Division Chief*

Exhibits A-1 and A-2 are incorporated into the official record of this meeting.

Temporary Rulemaking Adoption – 15A NCAC 10D .0232 Gull Rock Game Land in Hyde County – The Commission reviewed public comments (**EXHIBIT B-1**) and, on a motion by Brad Stanback and second by John Alexander, the Commission adopted temporary amendment to Gull Rock game land rule (**EXHIBIT B-2**) presented by *Daron Barnes*

Exhibits B-1 and B-2 are incorporated into the official record of this meeting.

COMMENTS FROM THE CHAIRMAN

Chairman Crump stated he had no further comments.

COMMENTS FROM THE EXECUTIVE DIRECTOR

Director Ingram stated he had no further comments.

ADJOURNMENT

There being no further business, the WRC webinar meeting was adjourned at 11:07 a.m. All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman

Date

Cameron Ingram, Executive Director

Date

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
CAFR 52G - STATEMENT OF REVENUES, EXPENDITURES and CHANGES in FUND BALANCES

GOVERNMENTAL FUNDS
AS OF OCT 31, 2022

	FY 2023 General Fund	FY 2023 Capital Improvement Fund
REVENUES		
Federal funds	\$ 9,797,768.16	\$ 94,366.39
Local funds	\$ 1,210.53	\$ -
Investment earnings	\$ 46,752.73	\$ -
Sales and services	\$ 5,308,386.42	\$ -
Rental and lease of property	\$ 17,197.40	\$ -
Fees, licenses and fines	\$ 14,512,070.52	\$ -
Contributions, gifts and grants	\$ 1,129,737.17	\$ 2,694,607.59
Miscellaneous	\$ 7,576.00	\$ -
Unclassified/invalid accounts	\$ -	\$ -
Other Financing Sources - Sale of capital assets	\$ 133,898.34	\$ -
Other Financing Sources - Insurance recoveries	\$ 46,440.67	\$ -
Other Financing Sources - Transfers in	\$ 2,122,019.85	\$ 722,829.00
Other Financing Sources - Appropriations	\$ 6,464,263.00	\$ -
TOTAL REVENUES	\$ 39,587,320.79	\$ 3,511,802.98
EXPENDITURES		
Personal services	\$ 13,042,826.03	\$ -
Employee benefits	\$ 6,445,863.01	\$ -
Contracted personal services	\$ 3,580,528.19	\$ 121,542.02
Supplies and materials	\$ 3,269,043.81	\$ -
Travel	\$ 234,517.86	\$ -
Communication	\$ 385,033.93	\$ -
Utilities	\$ 284,498.66	\$ -
Data processing services	\$ 334,805.05	\$ -
Other services	\$ 1,881,916.66	\$ -
Claims and benefits	\$ 495,062.37	\$ -
Other fixed charges	\$ 73,325.63	\$ 510.00
Capital outlay	\$ 3,404,902.62	\$ 3,955,583.12
Grants, state aid and subsidies	\$ 1,445,468.22	\$ -
Insurance and bonding	\$ 20,036.00	\$ -
Other expenditures	\$ 695,081.74	\$ -
Reimbursements	\$ (267,129.25)	\$ -
Unclassified/invalid accounts	\$ 53,222.48	\$ -
Other Financing (Uses) - Transfers out	\$ 4,524,194.00	\$ -
TOTAL EXPENDITURES	\$ 39,903,197.01	\$ 4,077,635.14
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	\$ (315,876.22)	\$ (565,832.16)
FUND BALANCE - JULY 1, 2022	\$ 19,392,128.49	\$ 3,281,835.81
FUND BALANCE - OCT 31, 2022	\$ 19,076,252.27	\$ 2,716,003.65

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ENDOWMENT PORTFOLIO

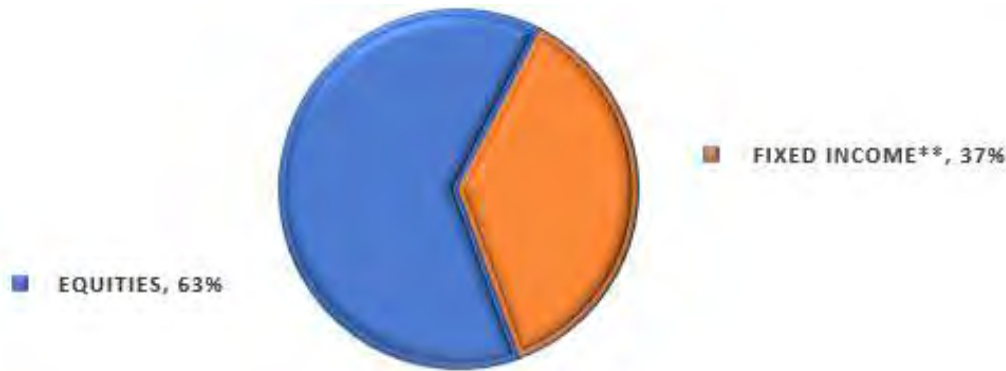
Fund Balance*: Oct 2022 \$145,093,953.39

* Based On Financial Institutions' Data And Does Not Include Time-Lag Entries.

§ 143-250.1. Wildlife Endowment Fund

- (d) (3). No expenditure or disbursement shall be made from the principal of the Wildlife Endowment Fund except as otherwise provided by law.
- (d) (4). The income received and accruing from the investments of the Wildlife Endowment Fund must be spent only in furthering the conservation of wildlife resources and the efficient operation of the North Carolina Wildlife Resources Commission in accomplishing the purposes of the agency as set forth in G.S. 143-239.
- (g) The Wildlife Endowment Fund and the investment income therefrom shall not take the place of State appropriations or Agency receipts placed in the Wildlife Resources Fund, or any part thereof, but any portion of the income of the Wildlife Endowment Fund available for the purpose set out in subdivision (4) of subsection (d) shall be used to supplement other income of and appropriations to the Wildlife Resources Commission to the end that the Commission may improve and increase its services and become more useful to a greater number of people.

ASSET ALLOCATION



** Fixed Income Includes Short-Term And Long-Term Fixed Income Instruments

Fund	Principal	Non-Expendable	Expendable	Total***
Adult Lifetime Licenses	\$ 75,179,029.90		\$ 37,420,248.84	\$ 112,599,278.74
Magazine Subs Lifetime	\$ 1,573,477.50		\$ 806,882.84	\$ 2,380,360.34
Contributions	\$ 750,524.23		\$ 2,022,908.83	\$ 2,773,433.06
Diversity	\$ 59,912.29		\$ 737.27	\$ 60,649.56
Infant Lifetime Licenses	\$ 20,075,130.50	\$ 4,386,082.34		\$ 24,461,212.84
Youth Lifetime Licenses	\$ 2,777,032.00	\$ 115,911.85		\$ 2,892,943.85
Total	\$ 100,415,106.42	\$ 4,501,994.19	\$ 40,250,777.78	\$ 145,167,878.39

*** Include Deposit/s In Transit

Exhibit D-1

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Corbett Tract

WRC Action/Approval to Pursue (Date): 7/13/2022

Acquisition Plan (specify total project costs AND sources of funding):

Donation from The Nature Conservancy

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Aid in Wildlife Restoration Act (Pittman- Robertson) – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$143,539.00
Total Projected Revenue	\$300,00.00

Exhibit D-1

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET Estimated

Five Year Stewardship Costs and Revenue Projections:

Estimated Stewardship Costs					
Activity	Quantity	Unit	Expense Type	Unit Cost	Total Cost
Boundary Establishment - yr 1	9.25	Mile		\$1,056.00	\$9,768.00
Boundary Removal - yr 1	4.75	Mile		\$1,056.00	\$5,016.00
Boundary Maintenance - yr 4	5.00	Mile		\$1,056.00	\$5,280.00
Road Improvements - yr 1	0.75	Mile		\$100,000.00	\$75,000.00
Maintain Roads/Trail – yr 2	1.75	Mile		\$2,500.00	\$4,375.00
Maintain Roads/Trail – yr 3	1.75	Mile		\$2,500.00	\$4,375.00
Maintain Roads/Trail – yr 4	1.75	Mile		\$2,500.00	\$4,375.00
Maintain Roads/Trail – yr 5	1.75	Mile		\$2,500.00	\$4,375.00
Establish Gate - yr 1	6.00	Each		\$750.00	\$4,500.00
Maintain Gate - yr 2	6.00	Each		\$100.00	\$600.00
Maintain Gate - yr 3	6.00	Each		\$100.00	\$600.00
Maintain Gate - yr 4	6.00	Each		\$100.00	\$600.00
Maintain Gate - yr 5	6.00	Each		\$100.00	\$600.00
Install Disabled Hunter Blind - yr 2	1.00	Each		\$2,000.00	\$2,000.00
Maintain Disabled Hunter Blind - yr 3	1.00	Each		\$225.00	\$225.00
Maintain Disabled Hunter Blind - yr 4	1.00	Each		\$225.00	\$225.00
Maintain Disabled Hunter Blind - yr 5	1.00	Each		\$225.00	\$225.00
Create Parking Area - yr 1	1.00	Each		\$10,000.00	\$10,000.00
Maintain Parking Areas - yr 2	1.00	Each		\$225.00	\$225.00
Maintain Parking Areas - yr 3	1.00	Each		\$225.00	\$225.00
Maintain Parking Areas - yr 4	1.00	Each		\$225.00	\$225.00
Maintain Parking Areas - yr 4	1.00	Each		\$225.00	\$225.00
LL Reforestation- yrs 1-5	150	Acres		\$341.00	\$51,150.00
Prescribed Burning Ops - yrs 1-5	350.00	Acres		\$30.00	\$10,500.00
TOTAL					\$143,539.00

Exhibit D-1

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
Timber Harvests (years 1-5)	150	Acre	\$1,000.00	\$150,000.00
TOTAL				\$150,000.00

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Richard Clark/Brent Wilson
Date First Presented to Commission:	7/13/2022
Tract Name:	Corbett Tracts
County:	Pender
Acreage:	~3,561
Tax Value:	
Property Owner/Representative:	Corbett Package Co. & Corbett Brothers, LLC
Phone:	
Email Address:	
Address:	

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input checked="" type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	REPI
<input checked="" type="checkbox"/>	Coastal Wetlands

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	Source:
<input type="checkbox"/>	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargain Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

This parcel would become part of the Holly Shelter Game Land and will provide additional buffer from development and promote prescribed burning operations.

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Corbett Tracts
County:	Pender

Resources Assessment and Biological Benefits (brief):

The Corbett tract consists of 3,561 acres which would be purchased by TNC then transferred to WRC. Parcel of interest is located in an area of high conservation interest located adjacent to the eastern boundary of Holly Shelter GL, and just west of the Greater Sandy Run training area of MCB Camp Lejeune. Corbett package tract includes over 3,400 acres of pocosin wetlands with 3,000 acres of them adjoining the east end of the Holly Shelter pocosins. Much of the eastern portion is sand ridge converted to plantation, however, several rare plants are present, including Venus flytraps. As a forested tract it has functionality as a corridor between Camp Lejeune, The Nature Conservancy Preserves and Holly Shelter Game Land for management focus species such as red-cockaded woodpecker and black bear.

Tract Name **Corbett**
 Date **March 17, 2022**
 Staff Completing Form **Richard Clark**

Species	0.667
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	3
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Aquatic
Overall Biodiversity	2
SGCN Species	2
Game Species	1

Comments
Could provide hunting opportunities for deer, turkey, quail, small game.

Habitat	0.889
Size	3
Quality	3
Diversity	2
Rare/Important	2
Connectivity	3
Buffer	3

Comments
Tract is of relative large size, with extensive undisturbed wetland coverage (>3,000 acres). Uplands are converted to loblolly plantation giving opportunity for restoration. Several rare plants currently occur on the tract with probable increase with land management.

Public Access	0.333
Hunting/Viewing	2
Fishing	1
Boating	0

Comments
Access unknown, and would depend on further deed review.

Wildlife Uses	0.533
Hunting	2
Viewing	2
Fishing	1
Boating	0
Education	3

Comments
Admin. access would be available form Hwy 50. Currently unsure if deeded access would allow public acces, limited entry for research/education is expected to be tolerated.

Other Values	0.667
Timber Harvest	2
Local Economy	2
Quality of Life	2

Comments
~ 400 acres of eastern portion is in loblolly plantation. Protection from future residential development will aid to improve local air and water quality, and buffer critical training on Camp Lejeune.

Feasibility & Logistics	0.733
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	2

Comments
Exisiting ifrastructure is unknown. Adjacent land use are largely conservation and forestry so are highly compatible with our Agency Mission.

Restoration/Mitigation Potential	0.667
Species Restoration	2
Habitat Restoration	3
Access Improvement	1
Threat Mitigation	2

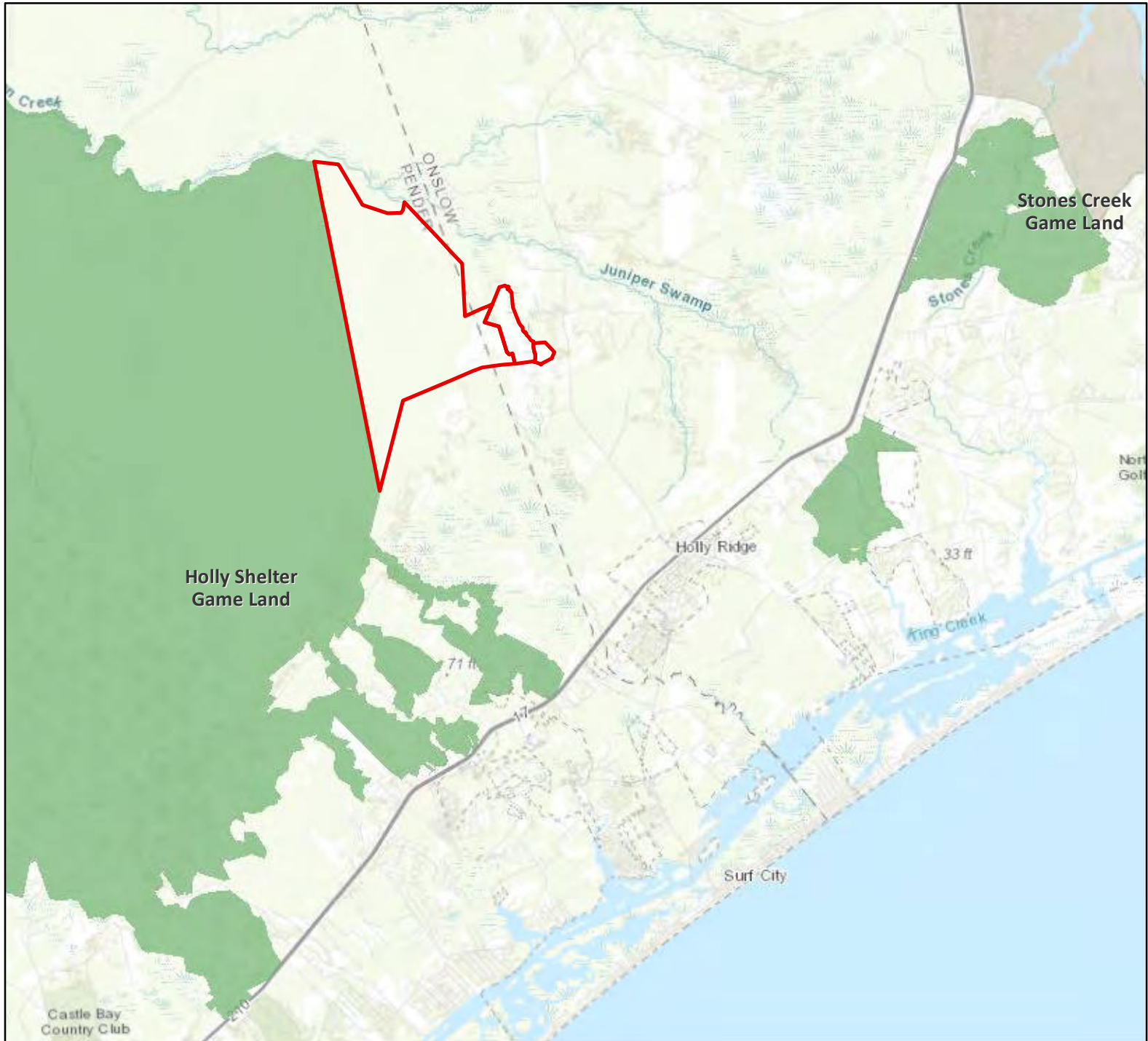
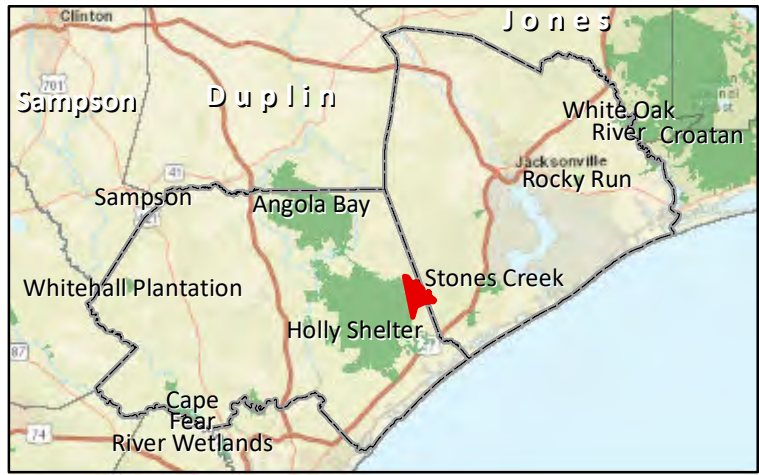
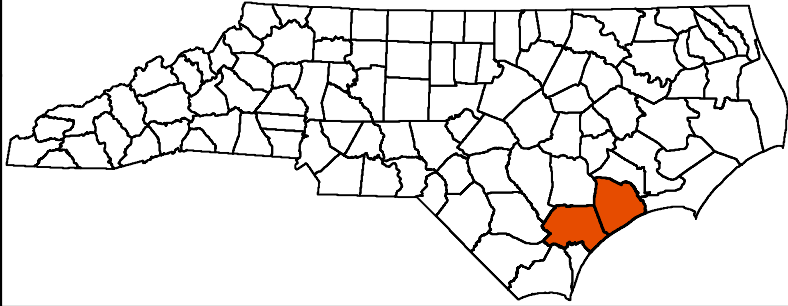
Comments
Would provide opportunity for upland habitat restoration as well as protection of wetlands from future residential development.

Threats	0.467
Number	2
Severity	1
Imminence	2
Manageability	1
Management Cost	1



Comments
Largest threats include loss to development, and wildfire. The implementation of prescribed fire operations, will reduce potential loss from wildfire.

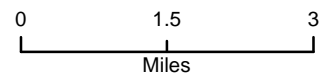
Overall Score	4.022
----------------------	--------------

Corbett Tracts Onslow and Pender Counties ~3,561 Acres

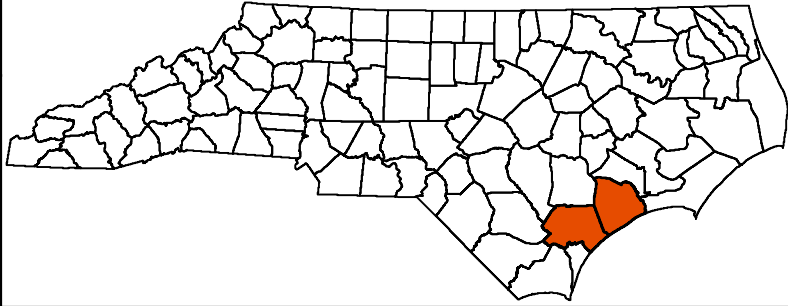


December 8, 2022



-  Corbett Tracts
-  Game Land



Corbett Tracts Onslow and Pender Counties ~3,561 Acres



December 8, 2022

-  Corbett Tracts
-  Game Land

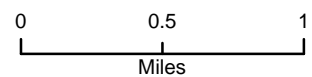


Exhibit D-2

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Looking Glass Run

WRC Action/Approval to Pursue (Date): 7/21/2021

Acquisition Plan (specify total project costs AND sources of funding):

Pittman Robertson Wildlife Restoration Funds \$659,756.00
TOTAL COST \$659,756.00

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
TNC	Quentin Bell	August 27, 2021	\$1,852,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Aid in Wildlife Restoration Act (Pittman- Robertson) – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$22,660.00
Total Projected Revenue	\$20,750.00

Exhibit D-2

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET Estimated

Five Year Stewardship Costs and Revenue Projections:

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Boundary Est. & Remove Shared	7.7	Mi.	\$300.00	\$2,310.00
Est. Parking Area (+ Rd. Imp.)	1	(+0.3 mi.)	\$7,000.00	\$7,000.00
Install Gates	3		\$2,000.00	\$6,000.00
Prescribe Burn	~115	Ac.	\$30.00	\$3,450.00
Est. Firebreaks	~1.3	Mi.	\$3,000.00	\$3,900.00
TOTAL				\$22,660.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
Ag. Lease Field	83	Ac.	\$50.00	\$20,750.00
TOTAL				\$20,750.00

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Chris Baranski
Date First Presented to Commission:	Early May 2021
Tract Name:	Looking Glass Run
County:	Halifax
Acreage:	849.2 ac., Parcel Data Shapefile
Tax Value:	
Property Owner/Representative:	
Phone:	
Email Address:	
Address:	

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input checked="" type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	NCLWF
<input type="checkbox"/>	Other (overwrite this cell)

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	Source:
<input type="checkbox"/>	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

At this time The Nature Conservancy (TNC) is taking the lead on this tract to acquire it more swiftly. The landowners collectively agreed to reject a competing offer from other interested buyers and work with TNC. TNC has provided an "intent to purchase" letter to the Agent of the Seller and has initiated the appraisal process (late July 2021). TNC would then sell the tract to WRC for enrollment in the Game Lands Program as part of the Upper Roanoke River Wetlands. The addition of this tract to the Upper Roanoke River Wetlands Game Land will provide administrative access to portions of Pollocks Ferry that are currently inaccessible for management purposes. The conservation value of the property is very high, particularly for young anadromous fish species using Looking Glass Run.

December 8, 2021

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name: Looking Glass Run
County: Halifax

Resources Assessment and Biological Benefits (brief):

There is ~0.55 mi. of frontage on the Roanoke River and ~2.36 mi. of the main Looking Glass Run (about half both banks). Much work has been done and is planned in this region of the Roanoke River to restore connectivity for anadromous fish passage. The Nature Conservancy (TNC) is working to identify critical culverts which are being removed and replaced with low-water crossings and bridges where possible to aid the movement of young fish to and from the floodplain swamps and sloughs during prolonged high-water events. Currently, a partnership project (TNC/WRC) is in the advanced planning stages on the game land 0.4 mi. to the north of this tract to remove a culvert crossing and replace with a bridge over the northern fork of Looking Glass Run. Estimates of the acreage of the various types and ages of habitats/forests are: 206 ac. of pine sawtimber (thinned 2010), 218 ac. of mature mixed pine-hardwood, 110 ac. of bottomland hardwood floodplain forest (much clearcut in 2010), 83.5 ac. of agricultural fields, 71.5 ac. recently clearcut (2020), 48 ac. older clearcut (2015), 47 ac. mixed natural regen (2005), 30 ac. pine pulpwood (2005), and 9.5 ac. of open water/seasonal swamp. The field acreage is currently farmed by an adjacent landowner and will be leased out like our other large rental fields in the area. There is much timber management potential now and in the future in the pine stands, though the bottomland and upland hardwoods will be allowed to mature (much of this will be in Primary Areas). The property shares ~3.2 miles of boundary with the adjacent Pollocks Ferry Tract of the Upper Roanoke River Wetlands Game Land. Hunter access will be through Pollocks Ferry on Wild Turkey Rd., while WRC administrative access will be from the south (Hwy. 258) and potentially from the west off Rainbow Rd. These access options will allow for timber harvest on portions of Pollocks Ferry that were previously inaccessible. Just like the rest of URRWL Game Land, this tract will be Permit-only (deer, turkey, waterfowl, small game, webless migratory birds, and trapping). There are no modern structures on the property, though there is an old partially collapsed cabin along the river and a steel bridge over Looking Glass Run on the main road through the property. The Looking Glass Run Swamps and Bluffs Significant Natural Heritage Area (SNHA) is immediately adjacent to this property upstream. Natural Heritage Element Occurrences in the local area are: Mixed & Basic Mesic Forest (Coastal Plain Subtype), Brownwater Levee Forest (High Levee Subtype), Cypress Gum Swamp (Brownwater Subtype), Roanoke Slabshell (*Elliptio roanokensis*), Dwarf Stinging Nettle (*Urtica chamaedryoides*), Glade Milkvine (*Matelea decipens*), Cane Wainscot Moth (*Leucania calidior*), Rafinesque's Big-eared Bat (*Corynorhinus rafinesquii macrotis*), Warbling Vireo (*Vireo gilvus*), and Cerulean Warbler (*Setophaga cerulea*).

Tract Name	Looking Glass Run (Chibley-Miller Tract)
Date	July 21, 2021
Staff Completing Form	Baranski, Dawes, Mynatt

Species	0.778
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Aquatic
Overall Biodiversity	3
SGCN Species	3
Game Species	3

Habitat	0.889
Size	1
Quality	3
Diversity	3
Rare/Important	3
Connectivity	3
Buffer	3

Public Access	1.000
Hunting/Viewing	3
Fishing	3
Boating	3

Wildlife Uses	0.933
Hunting	3
Viewing	3
Fishing	3
Boating	3
Education	2

Other Values	0.778
Timber Harvest	3
Local Economy	2
Quality of Life	2

Feasibility & Logistics	0.800
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	2

Restoration/Mitigation Potential	0.833
Species Restoration	3
Habitat Restoration	3
Access Improvement	2
Threat Mitigation	2

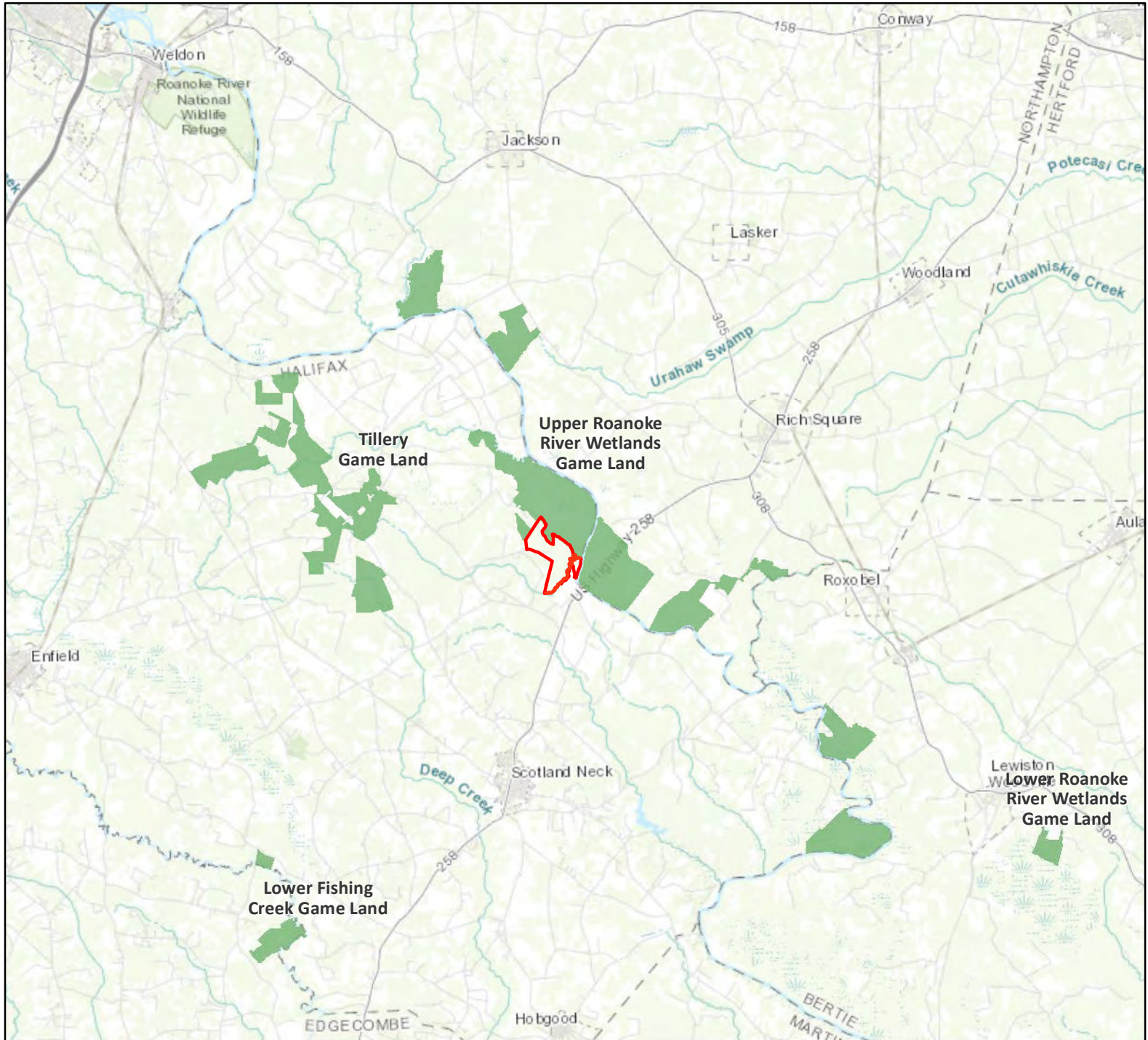
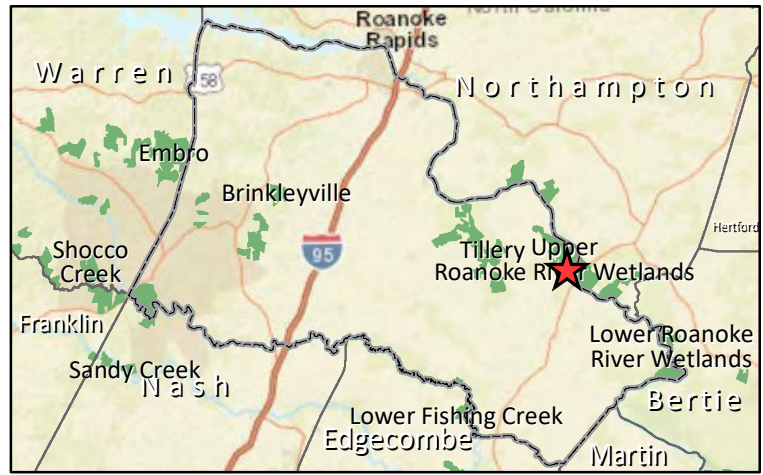
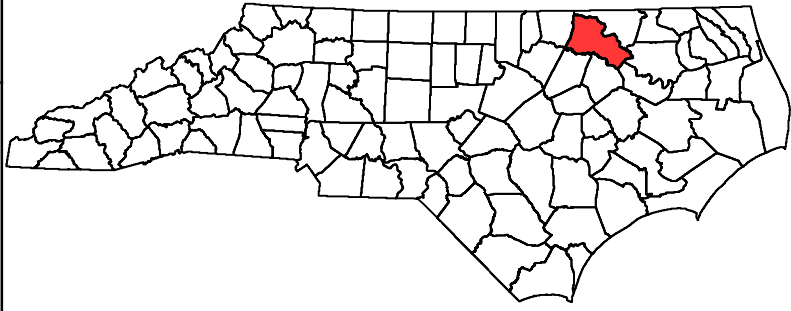
Threats	0.067
Number	1
Severity	0
Imminence	0
Manageability	0
Management Cost	0

Overall Score	5.944
----------------------	--------------

Comments

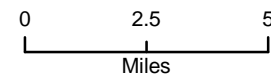
Any sizable tract of land in this part of North Carolina has a great diversity of habitats and species and this 850 acre property is no exception. The variety of habitats and forest ages (riparian, early successional (recently clearcut), bottomland/floodplain forest, field/open land, mature upland hardwood and pine, etc.) and the known significant aquatic and terrestrial species present/nearby (see narrative) make this property high priority for conservation protection. Of greatest conservation value may be the indefinite protection of a long stretch of Looking Glass Run for further connectivity to the Roanoke River for juvenile anadromous fish. The adjacency to existing Game Land and increased public access and hunting opportunity provided also adds to the desirability for acquisition. The timber management opportunities and potential revenue is very high and will be for the long-term. [Some known or potentially occurring Species of Greatest Conservation Need (SGCN): Rafinesque Big-eared Bat, Tri-colored Bat, Southeastern Bat, Yellow Bat, Little Brown Bat, Northern Long-eared Bat, Hermit Thrush, Acadian Flycatcher, Northern Bobwhite, Bald Eagle, Sharp-shinned Hawk, American Kestrel, Prairie Warbler, Brown-headed Nuthatch, Worm-eating Warbler, Rusty Blackbird, Swainson's Warbler, Red-headed Woodpecker, Louisiana Waterthrush, Prothonotary Warbler, Yellow-throated Warbler, Kentucky Warbler, Spotted Turtle, Box Turtle, Northern Two-lined Salamander, Mole Kingsnake]

Looking Glass Run Tract Halifax County 849 Acres

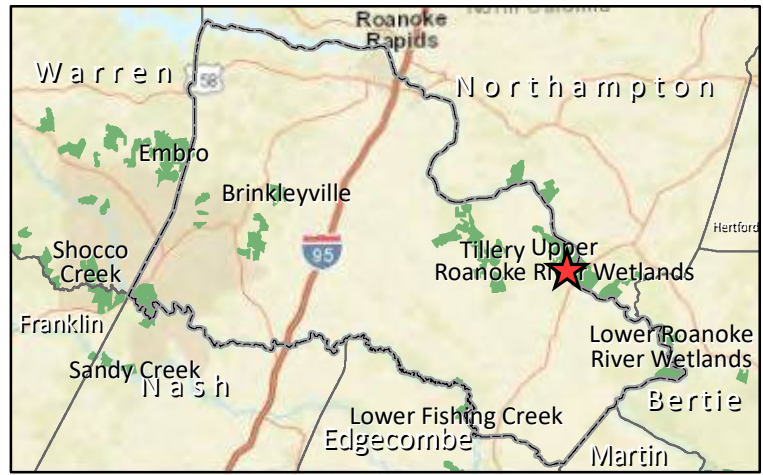
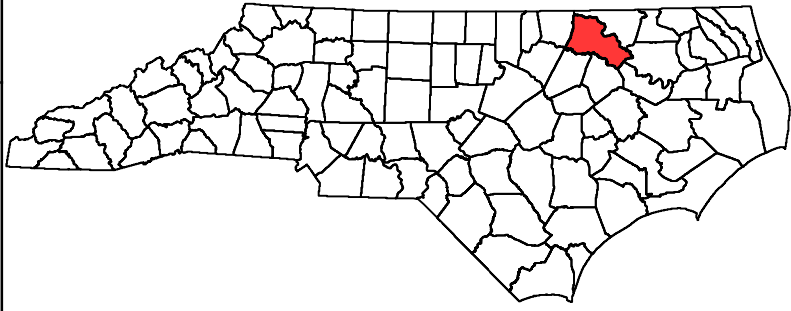


December 8, 2022



- Looking Glass Run Tracts
- Game Land



Looking Glass Run Tract Halifax County 849 Acres



December 8, 2022

-  Looking Glass Run Tracts
-  Game Land

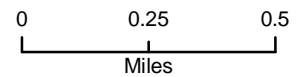


Exhibit D-3

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Panther Branch

WRC Action/Approval to Pursue (Date): 4/13/2022

Acquisition Plan (specify total project costs AND sources of funding):

State Funds	\$11,535.00
TOTAL COST	\$11,535.00

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
TRLT	Timothy Ragan	June 18, 2021	\$120,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Aid in Wildlife Restoration Act (Pittman- Robertson) – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$31,000.00
Total Projected Revenue	\$0.00

Exhibit D-3

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Panther Branch

WRC Action/Approval to Pursue (Date): 4/13/2022

Acquisition Plan (specify total project costs AND sources of funding):

State Funds	\$11,535.00
TOTAL COST	\$11,535.00

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
TRLT	Timothy Ragan	June 18, 2021	\$120,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Aid in Wildlife Restoration Act (Pittman- Robertson) – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$31,000.00
Total Projected Revenue	\$0.00

Exhibit D-3

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET Estimated

Five Year Stewardship Costs and Revenue Projections:

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Reforestation (site prep, plugs, planting)	82	Acres	\$378.00	\$31,000.00
TOTAL				\$31,000.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Kacy Cook
Date First Presented to Commission:	
Tract Name:	Panther Branch
County:	Montgomery
Acreage:	92
Tax Value:	Asking price is \$31,600; tax value is \$55,200
Property Owner/Representative:	Three Rivers Land Trust
Phone:	
Email Address:	
Address:	

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input type="checkbox"/>	Tract
<input checked="" type="checkbox"/>	Riparian Corridor

Grant Potential:

<input checked="" type="checkbox"/>	CWMTF
<input type="checkbox"/>	USFWS Section 6
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	Endowment
<input type="checkbox"/>	Donation

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

2021	Year Assessed
No	PUV?

Stewardship Considerations:

PR	Source:
State	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input checked="" type="checkbox"/>	Bargain Sale
<input type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

It is advantageous for NCWRC to own this tract in order to stock aquatic Species of Greatest Conservation Need into the two creeks to better ensure conservation of threatened aquatic species native to those creeks. If the USFS were to own this tract, NCWRC would need to spend considerable time attempting to permit such stocking and stocking would not be permanently guaranteed by USFS. Stocking of aquatic SGCN in these streams would also implement upcoming statewide conservation agreement programs for aquatic species that NCWRC has been spearheading.

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

County:	Panther Branch
	Montgomery County

Resources Assessment and Biological Benefits (brief):

Two new, undescribed freshwater mussel species have been documented in Barnes Creek, one of the creeks that adjoins this Panther Branch Tract. These species will likely be federally listed and are endemic to the Uwharries region. The diversity of aquatic Species of Greatest Conservation Need in Barnes Creek is among the highest of the Piedmont. The Greater Uwharries Conservation Partnership identified Barnes Creek as a priority for land acquisition in order to safeguard aquatic SGCN. Both streams are classified by NCDWQ as Outstanding Resource Waters. The property possesses 2500 feet of frontage on one side of Barnes Creek and is the only private land located on Panther Branch, possessing 1200 feet of frontage on that stream. Conservation of this property would protect the entirety of the Panther Branch stream in combination with the USFS land on the rest of the stream.

Tract Name	Panther Branch
Date	April 1, 2022
Staff Completing Form	Kacy Cook

Species	0.481
	Terrestrial
Overall Biodiversity	1
SGCN Species	1
Game Species	2
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	1
	Aquatic
Overall Biodiversity	2
SGCN Species	3
Game Species	1

Comments
This tract is a very high priority for conservation of aquatic SGCN. Barnes Creek water quality depends on Panther Branch, which would be 100% conserved with this acquisition. Two new, undescribed freshwater mussel species have been documented in Barnes Creek that adjoins this Panther Branch Tract. These species will likely be federally listed and are endemic to the Uwharrie region. The diversity of aquatic Species of Greatest Conservation Need in Barnes Creek is among the highest of the Piedmont and was identified as a top priority for land acquisition by the Greater Uwharrie Conservation Partnership. If Barnes Creek were to lose aquatic habitat quality entire aquatic species may be lost and others would be significantly more threatened.

Habitat	0.778
Size	0
Quality	2
Diversity	3
Rare/Important	3
Connectivity	3
Buffer	3

Comments
The quality of the aquatic habitat adjacent to the tract is excellent. Barnes Creek is among the highest quality streams in the NC Piedmont and provides habitat for a high diversity of rare, threatened, and endemic NC and Piedmont aquatic species.

Public Access	0.444
Hunting/Viewing	2
Fishing	2
Boating	0

Comments
The best public access to this tract is from the USFS land that surrounds the tract on three sides and the logging road. Barnes creek is not passable by boat.

Wildlife Uses	0.533
Hunting	2
Viewing	2
Fishing	2
Boating	0
Education	2

Comments
Recreational uses would be moderate. However, it offers good hunting access due to the logging road and because it is not near hiking trails. Barnes creek offers good fishing opportunities due to the high habitat quality.

Other Values	0.556
Timber Harvest	1
Local Economy	2
Quality of Life	2

Comments
If this tract were developed, it would drain on local tax revenue and USFS and NCWRC resources, since it acts as an inholding, if public service such as emergency services or conflict situations were to arise between a private landowner and the USFS and NCWRC.

Feasibility & Logistics	0.733
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	2

Comments
No conflicts are expected since the tract is surrounded on three sides by USFS. There is logging road-type access.

Restoration/Mitigation Potential	0.667
Species Restoration	3
Habitat Restoration	2
Access Improvement	0
Threat Mitigation	3

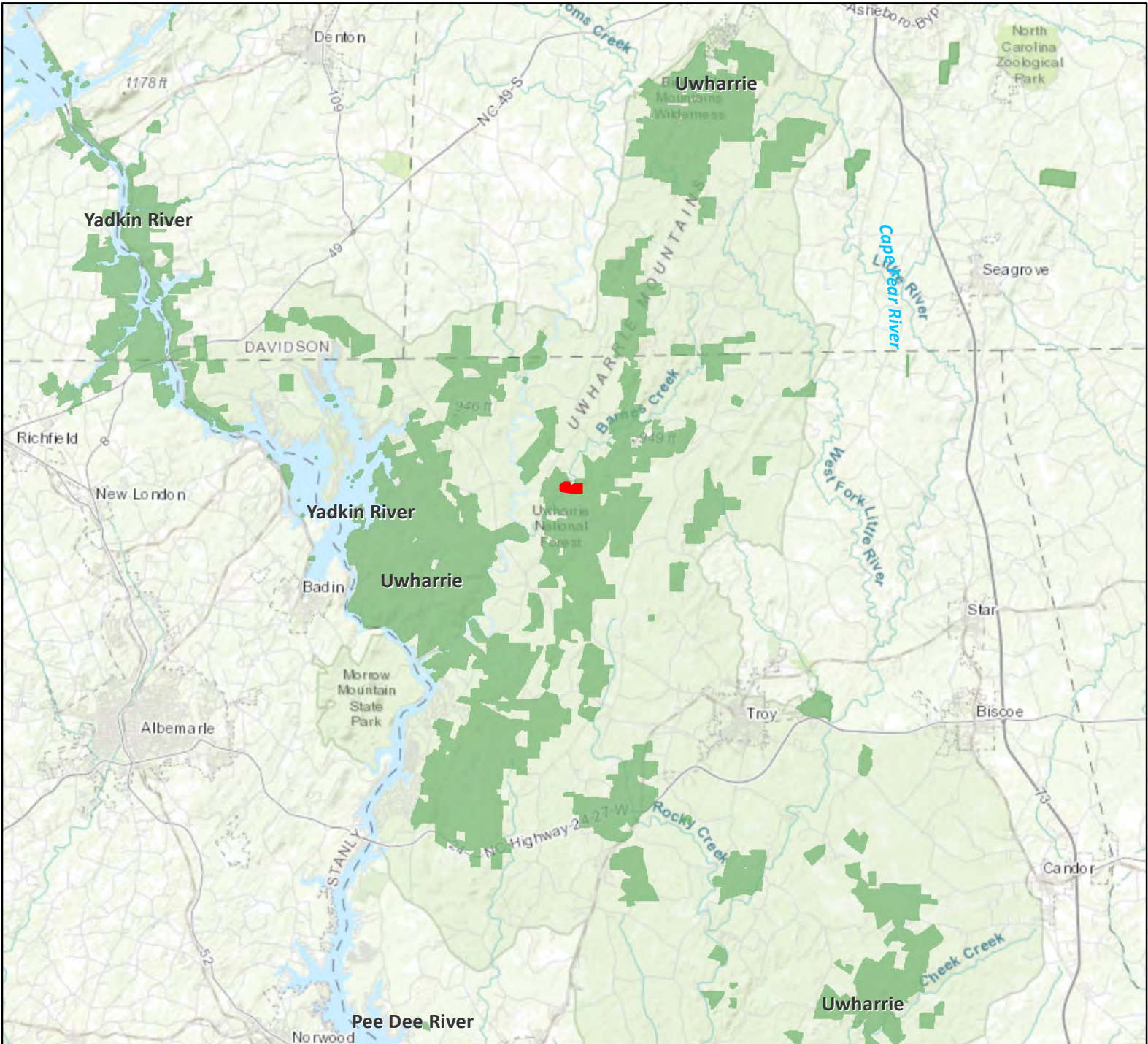
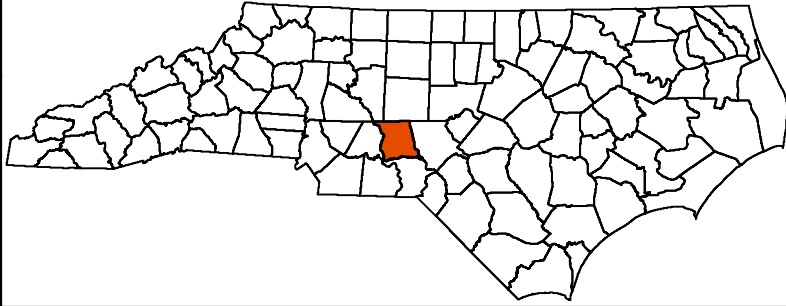
Comments
Panther Branch water quality is critical to the habitat in Barnes Creek. Panther Branch would be in 100% conserved as a result of this project. It is advantageous for NCWRC to own this tract in order to stock aquatic Species of Greatest Conservation Need into the two creeks without needing to permit such stocking through the USFS.

Threats	0.600
Number	3
Severity	3
Imminence	3
Manageability	0
Management Cost	0

Comments
The biggest threat in this area is loss of aquatic habitat due to sedimentation caused by land-disturbing activities. Land disturbing activities are prevalent in the Uwharrie and commonly include mining, rural home development and land clearing, ATV off roading recreation, and para military training facilities. Sedimentation could result in the extinction of endemic aquatic species and significant declines in other aquatic SGCN.

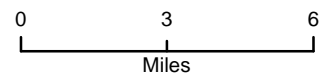
Overall Score	3.593
----------------------	--------------

**Panther Branch Tract
Montgomery County
92 Acres**

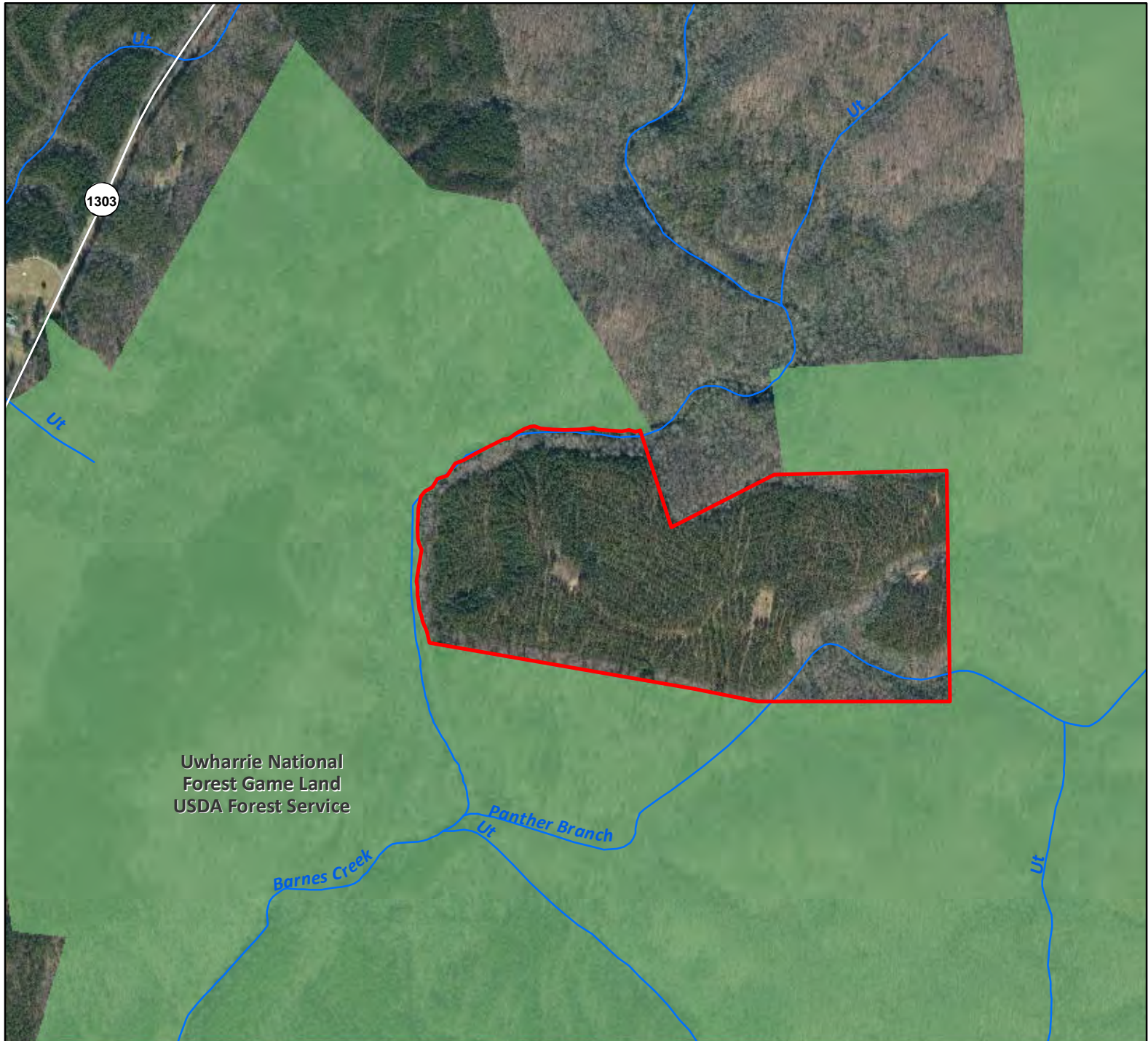
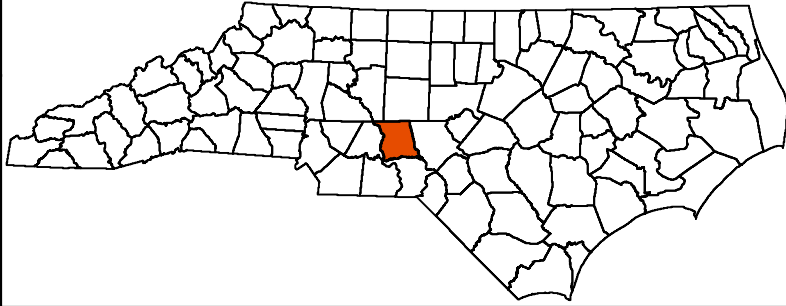


December 8, 2022



- Panther Branch Tract
- Game Land



Panther Branch Tract Montgomery County 92 Acres



December 8, 2022

-  Panther Branch Tract
-  Game Land

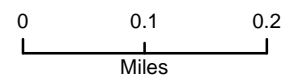


Exhibit D-4

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name:

Sanford Depot

WRC Action/Approval to Pursue (Date): July 2022

Acquisition Plan (specify total project costs AND sources of funding):

<u>State Capital Infrastructure Fund</u>	\$59,000
TOTAL COST	\$59,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
State Property Office	Village Appraisers, LLC	August 12, 2022	\$59,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Aid in Wildlife Restoration Act (Pittman- Robertson) – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$200.00
Total Projected Revenue	\$0.00

Exhibit D-4

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections:

Estimated Stewardship Costs					
Activity	Quantity	Unit	Expense Type	Unit Cost	Total Cost
Boundary Establishment	0.66	Mile		\$300.00	\$200
TOTAL					\$200.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

December 8, 2022
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Brad Kleinmaier
Date First Presented to Commission:	July 13, 2022
Tract Name:	Sanford Depot Tract
County:	Lee
Acreage:	7.4 acres
Listed Price:	TBD
Tax Value:	
Property Owner/Representative:	Eric Rouse - Duke Energy
Phone:	
Email Address:	Eric.Rouse@duke-energy.com
Address:	

Primary Purpose:

<input type="checkbox"/>	Resource Protection
<input type="checkbox"/>	Resource Management
<input type="checkbox"/>	User Access
<input checked="" type="checkbox"/>	WRC Facility

Program Potential:

<input type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input checked="" type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	FEMA Funding
<input type="checkbox"/>	Other

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR	Source:
<input type="checkbox"/>	State	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargain Sale
<input type="checkbox"/>	Partner Contribution

Reviewed Appraisal & Purchase Requirements?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	N/A

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

The goal of this acquisition is to provide a location for the construction of a new WRC depot to house what is currently referred to as the Rhodes Pond Construction Crew. Crew is currently stationed at the Rhodes Pond Depot location, however, local and political interest is for WRC to vacate these premises and enter into a MOA with local governments to construct a park alongside the newly restored Rhodes Pond. Per language in Session Law 2021-189, House Bill 334, the SCIF funds allocated for the construction of the Rhodes Pond Dam "may also be used by the Wildlife Resources Commission to relocate the depot on the property." Due to FEMA allocation on the Rhodes Pond project, WRC anticipates having sufficient SCIF funds remaining after the completion of the Rhode Pond Dam to pay for the acquisition of this parcel as well as construct the new depot facility. This parcel will be carved out of a larger Duke Energy parcel and is located on property already maintained by WRC as the Lee Game Land.

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Sanford Depot Tract
County:	Lee

Resources Assessment and Biological Benefits (brief):

The parcel to be acquired will be used to construct a new WRC depot and will not provide resources or biological benefit. The property is already maintained as a portion of the Lee Game Land but the impact to the game land by developing this 7.4 acre parcel will be minimal. The parcel has sufficient space and good topography for the location of a new depot facility. Located at the intersection of Gunther Road and Poplar Springs Church Road in Lee County the parcel provides a good location in the central piedmont for a base of operations for the Piedmont construction crew. County water is available at the site and there is sufficient space on-site for the installation of a septic system.

Tract Name	Sanford Depot Tract
Date	July 13, 2022
Staff Completing Form	Brad Kleinmaier

Species	0.000
	Terrestrial
Overall Biodiversity	
SGCN Species	
Game Species	
	Wetland
Overall Biodiversity	
SGCN Species	
Game Species	
	Aquatic
Overall Biodiversity	
SGCN Species	
Game Species	

Comments

Habitat	0.000
Size	
Quality	
Diversity	
Rare/Important	
Connectivity	
Buffer	

Comments

Public Access	0.000
Hunting/Viewing	
Fishing	
Boating	

Comments

Wildlife Uses	0.000
Hunting	
Viewing	
Fishing	
Boating	
Education	

Comments

Other Values	0.000
Timber Harvest	
Local Economy	
Quality of Life	

Comments

Feasibility & Logistics	0.000
Existing Infrastructure	
Compatibility of Multiple Uses on Tract	
Compatibility with Adjoining Land	
Inholding/Corridor	
Proximity to Users	

Comments

Restoration/Mitigation Potential	0.000
Species Restoration	
Habitat Restoration	
Access Improvement	
Threat Mitigation	

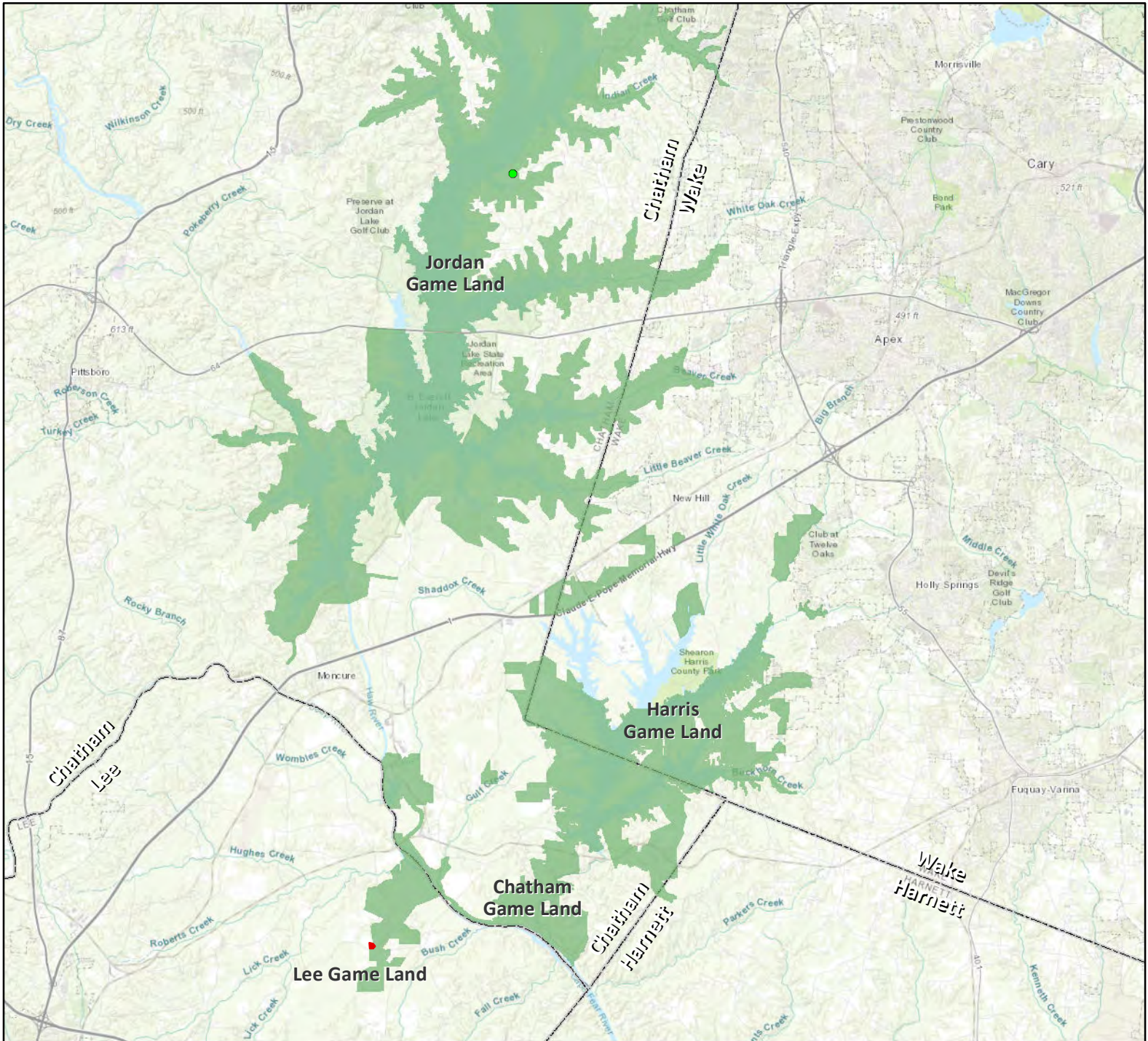
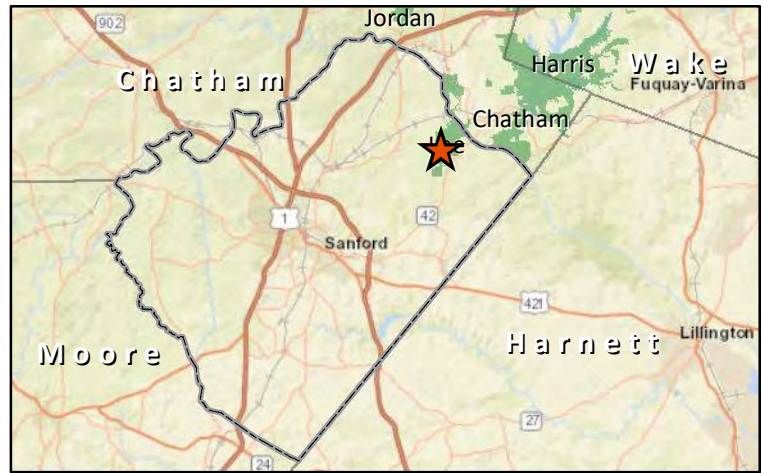
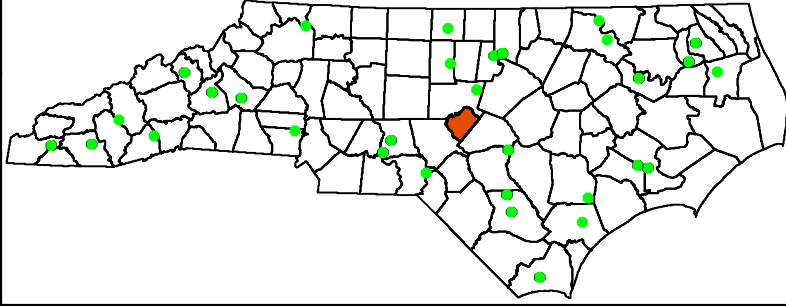
Comments

Threats	0.000
Number	
Severity	
Imminence	
Manageability	
Management Cost	

Comments

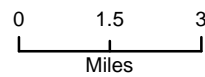
Overall Score	0.000
----------------------	--------------

Sanford Depot Lee County ~7 Acres

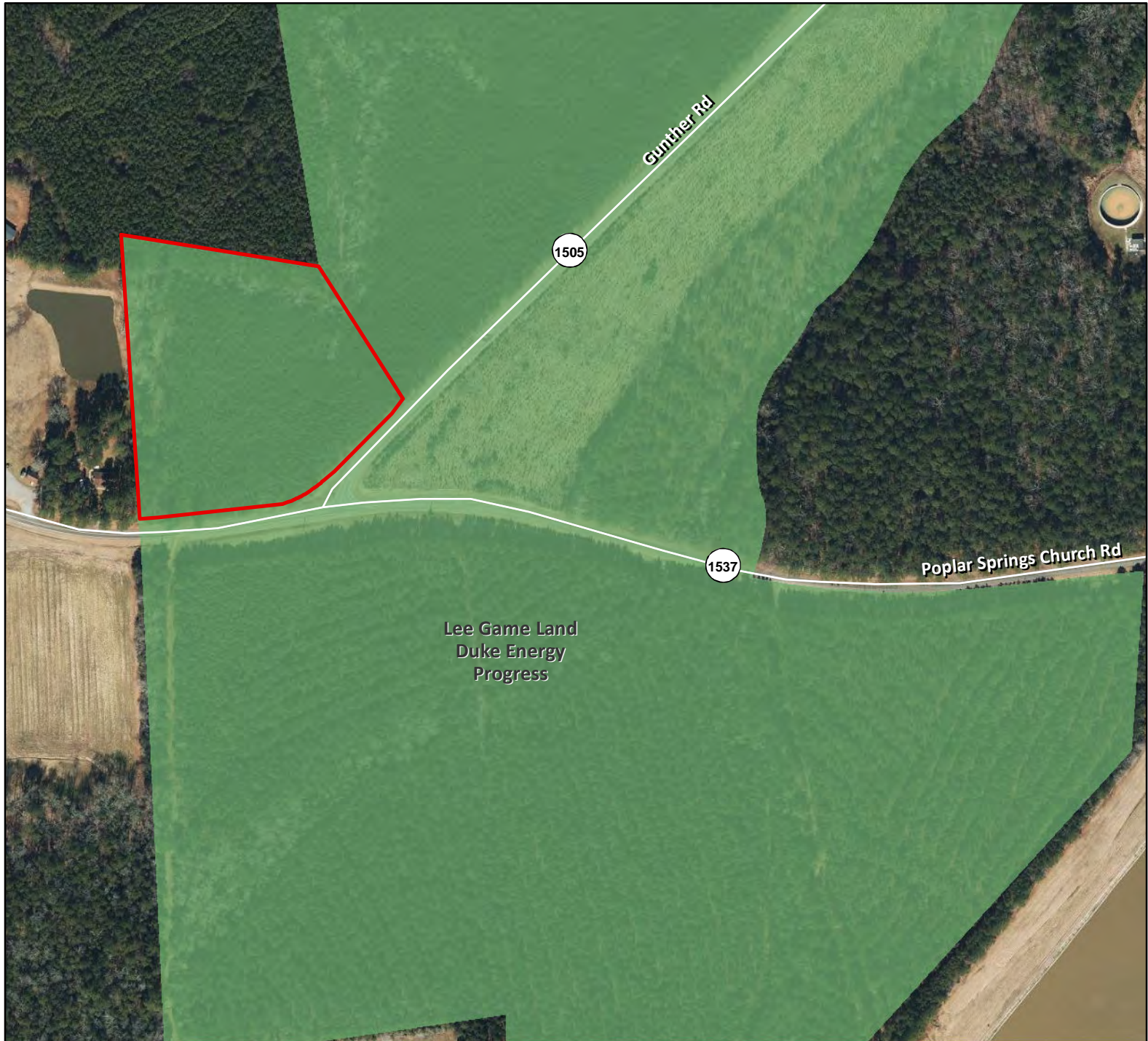
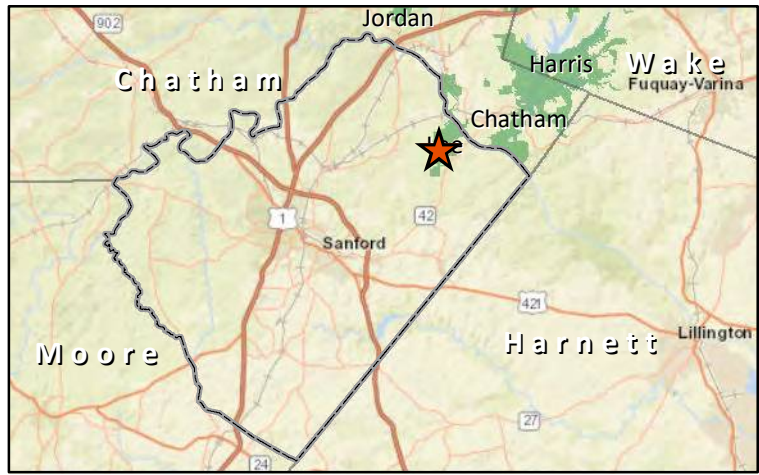
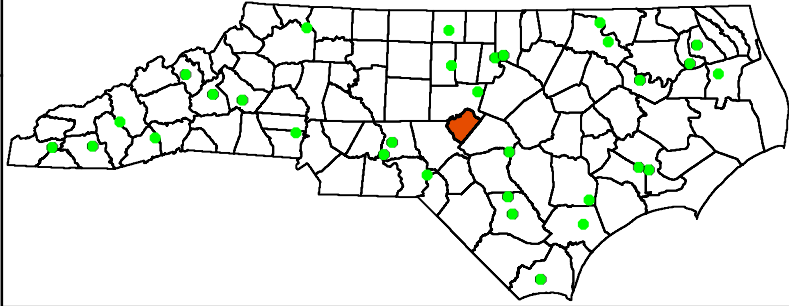


December 8, 2022

- Sanford Depot Site
- WRC Depot Locations
- Game Land



**Sanford Depot
Lee County
~7 Acres**



December 8, 2022



Sanford Depot Site
Game Land

• WRC Depot Locations

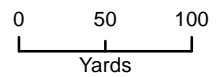


Exhibit D-5

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Grimesland Bridge

WRC Action/Approval to Pursue (Date): Reallocation from NCDOT so requesting concurrent approval of Phase I & II.

Acquisition Plan (specify total project costs AND sources of funding):

N/A

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Aid in Wildlife Restoration (Pittman Robertson) – 75% federal: 25% state
Federal Aid in Sport Fish Restoration (Dingle-Johnson) - 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$61,950
Total Projected Revenue	\$0

Exhibit D-5

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET Estimated

Five Year Stewardship Costs and Revenue Projections:

Estimated Stewardship Costs					
Activity	Quantity	Unit	Expense Type	Unit Cost	Total Cost
Boundary Establishment	7	Mile		\$500	\$3,500
Boundary Maintenance (Year 4)	7	Mile		\$135	\$945
Parking Area Establishment including gates, signs and fencing	2	Each		\$7000	\$14,000
Docks and abutments	2	Each		\$15,000	\$30,000
Canoe/kayak launches	2	Each		\$2,500	\$5,000
TOTAL					\$61,950

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$

December 8, 2022
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Brent Wilson
Date First Presented to Commission:	
Tract Name:	Grimesland Bridge
County:	Pitt
Acreage:	555.00
Tax Value:	\$257,158
Property Owner/Representative:	NCDOT/ James Hauser
Phone:	919-707-6125
Email Address:	jwhauser1@ncdot.gov
Address:	1598 MSC, Raleigh, NC 27699

<p>Primary Purpose:</p> <input type="checkbox"/> Resource Protection <input type="checkbox"/> Resource Management <input checked="" type="checkbox"/> User Access <input type="checkbox"/> WRC Facility	<p>Program Potential:</p> <input checked="" type="checkbox"/> Game Land <input type="checkbox"/> Wildlife Conservation Area <input type="checkbox"/> Access Area <input checked="" type="checkbox"/> Public Fishing Area
<p>Type of Acquisition:</p> <input type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Easement	<p>Type of Parcel:</p> <input checked="" type="checkbox"/> Tract <input type="checkbox"/> Riparian Corridor
<p>Grant Potential:</p> <input type="checkbox"/> CWMTF <input type="checkbox"/> Federal Aid (PR, WB, etc.) <input type="checkbox"/> Other <input type="checkbox"/> Other	<p>Owner Interest:</p> <input checked="" type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low <input type="checkbox"/> No
<p>Tax Value:</p> <input type="checkbox"/> 2021 Year Assessed <input type="checkbox"/> PUJV?	<p>Stewardship Considerations:</p> <input checked="" type="checkbox"/> Source: PR & F108 grants <input type="checkbox"/> Match:
<p>Funding Considerations:</p> <input checked="" type="checkbox"/> Donation <input type="checkbox"/> Bargain Sale <input type="checkbox"/> Partner Contribution	<p>Reviewed Appraisal & Purchase Require</p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Recommendation:</p> <input checked="" type="checkbox"/> Pursue <input type="checkbox"/> Do Not Pursue <input type="checkbox"/> Defer	

Additional Comments:

Since the NCDOT Grimesland site was acquired for mitigation purposes, transfer to NCWRC would come with a perpetual conservation easement to ensure preservation of its wetland characteristics. The NCWRC would request reserve rights on approximately 2 acres of upland with direct connections to Grimesland Bridge Road for constituent parking and public fishing area amenities. Provisions to maintain existing trails around ponds for fishing access would also be a requested allowance. The river swamp and constructed shallow water wetlands could provide public waterfowl hunting opportunity. Administratively, the tract would be added as a new game land in a county where currently there are none.

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Grimesland Bridge Tract
County:	Pitt

Resources Assessment and Biological Benefits (brief):

A part of the Tar River primary floodplain, the property consists of mostly swamp forest dominated by cypress and tupelo with a small component of bottomland hardwoods on adjacent terraces. A predominant historical use of the tract was development of sand pits by a prior owner. After acquisition, NCDOT further augmented some of the excavated areas for additional mitigation credit. It has resulted in about 130 acres of ponds ranging from deep water areas amenable to fish management to shallow water wetlands promoting use by waterfowl and associated species. The tract offers significant stream shoreline with over 5,000 feet of frontage on the Tar River with an additional 2.25 miles on Grindle Creek, a Tar River tributary.

Tract Name	Grimesland Bridge Tract
Date	November 29, 2022
Staff Completing Form	Brent Wilson

Species	0.333
	Terrestrial
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	1
	Aquatic
Overall Biodiversity	1
SGCN Species	1
Game Species	2

Comments
23 SCGN species are listed by the North Carolina Wildlife Habitat Threat Data Viewer and Analysis Tool as potentially present in the blackwater floodplain habitat of the Tar River in the Grimesland vicinity. While some terrestrial species may be transients on the tract, waterfowl are the primary game species present.

Habitat	0.556
Size	1
Quality	2
Diversity	2
Rare/Important	1
Connectivity	1
Buffer	3

Comments
Relatively small for a stand alone game land, however provides high quality swamp forest and developed shallow water wetlands for associated species.

Public Access	0.667
Hunting/Viewing	2
Fishing	3
Boating	1

Comments
Difficulty of foot travel will limit hunting access to short distances. Access by river will be good although is 5.5 miles to the closest public boat ramp. Fishing opportunity with developed infrastructure should be very good.

Wildlife Uses	0.600
Hunting	2
Viewing	2
Fishing	3
Boating	1
Education	1

Comments
Fishing will be the primary use with some waterfowl hunting and wildlife viewing opportunity. The ponds supporting fish have been "naturally" stocked by the river during high water events. Minimal supplemental stocking will be required for most of the site.

Other Values	0.333
Timber Harvest	0
Local Economy	1
Quality of Life	2

Comments
The conservation easement will limit habitat management potential outside of the fishing ponds, so timber management will not be permitted. Game land users may contribute to the local economy and there will be a quality of life improvement providing outdoor experience

Feasibility & Logistics	0.467
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	0
Proximity to Users	2

Comments
There are rudimentary parking areas with connections to the state road but require upgrading for public use. Fishing and hunting interests should be able to be segregated on the property. Surrounding tracts are undeveloped. With water boundary delineating two sides of the property and limited accessibility on foot will minimize potential impacts to adjacent landowners.

Restoration/Mitigation Potential	0.250
Species Restoration	0
Habitat Restoration	0
Access Improvement	3
Threat Mitigation	0

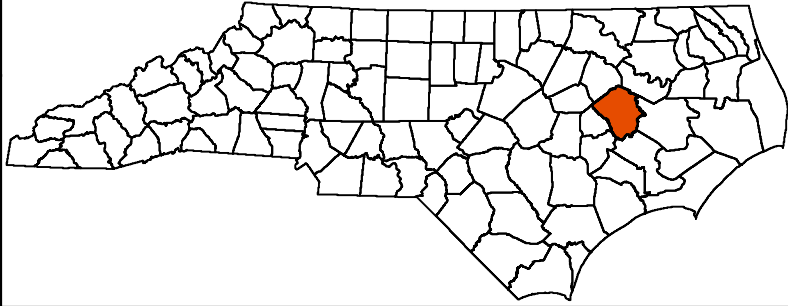
Comments
Habitat restoration work has been completed and the conservation easement will limit further habitat work outside of the fishing ponds. Access development potential is high involving public parking, fishing structures and primitive boat launches.

Threats	0.000
Number	0
Severity	0
Imminence	0
Manageability	0
Management Cost	0

Comments
No threats currently identified as it already exists in a protected state.

Overall Score	3.206
----------------------	--------------

**Grimesland DOT Site
Pitt County
555 Acres Tract**



WRC Planned Improvements

- Public Fishing Area/Kayak Launch
- Parking & Gravel Access

Walking Trails

Grimesland Tract, 555 acres



Dec. 8, 2022

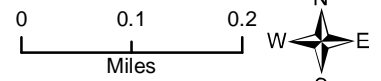


Exhibit E-1

December 8, 2022

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

FINAL ACQUISITION DETAILS

Tract Name: Rob Denton Trade, South Mountains GL

WRC Action/Approval to Pursue (Date): July 29, 2021

Acquisition Plan (specify total project costs AND sources of funding):

The original 90 acre portion of South Mountains to be traded to Denton appraised for \$2,111/acre.

Using appraisals to facilitate an even trade based on value, WRC will trade 112 acres at South Mountains GL (\$236,000 value) for Denton's 55.5 acre inholding at South Mountains GL and a 24.20 acre inholding at Linville River Tract, Pisgah GL (\$236,000 cumulative value)

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
Tripp Steinbock	Michael Moore	July 25, 2022	\$190,000 (SMGL)
Rob Denton	Clinton Lytle	June 18, 2022	\$130,400 (Denton)
Rob Denton	Clinton Lytle	June 15, 2022	\$105,600 (Denton)

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 15,307.00
Total Projected Revenue	\$

Exhibit E-1

December 8, 2022

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

COSTS AND REVENUE WORKSHEET

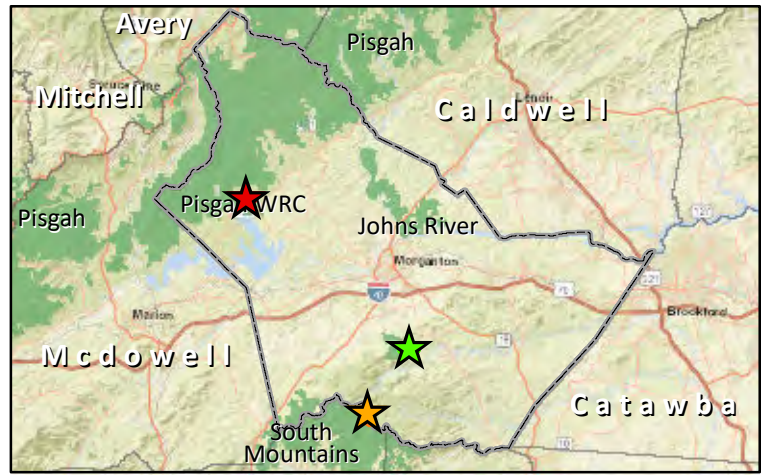
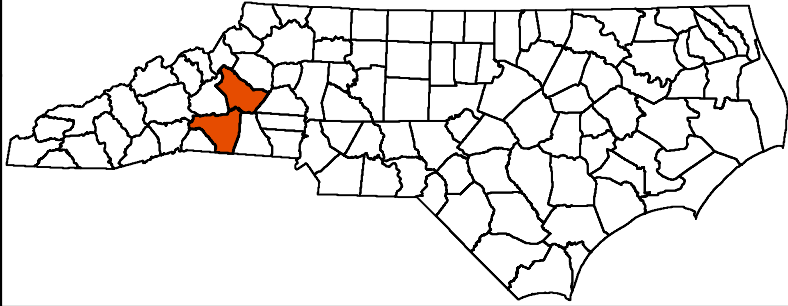
Estimated Five Year Stewardship Costs and Revenue Projections:

Rob Denton Trade

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Boundary Establishment	12,246	Feet	\$1.50	\$15,307.00
TOTAL				\$15,307.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				

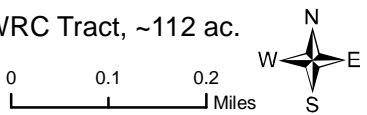
Denton Trade Burke and Rutherford Counties 79 vs.112 Acres



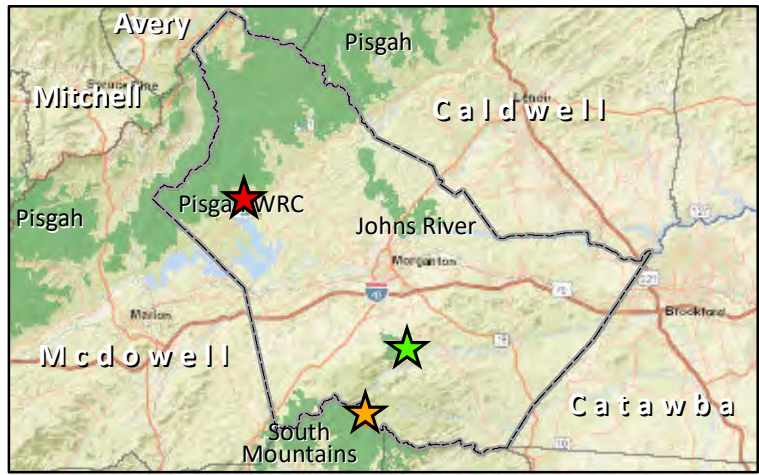
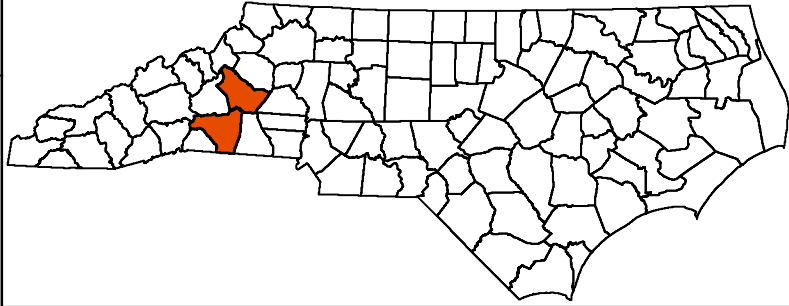
December 8, 2022

- Trade to WRC: Denton Tract, ~24 ac.
- Trade to WRC: McNeilly Tract, ~55 ac.

- Trade to Denton: WRC Tract, ~112 ac.



Denton Trade Burke and Rutherford Counties 79 vs.112 Acres



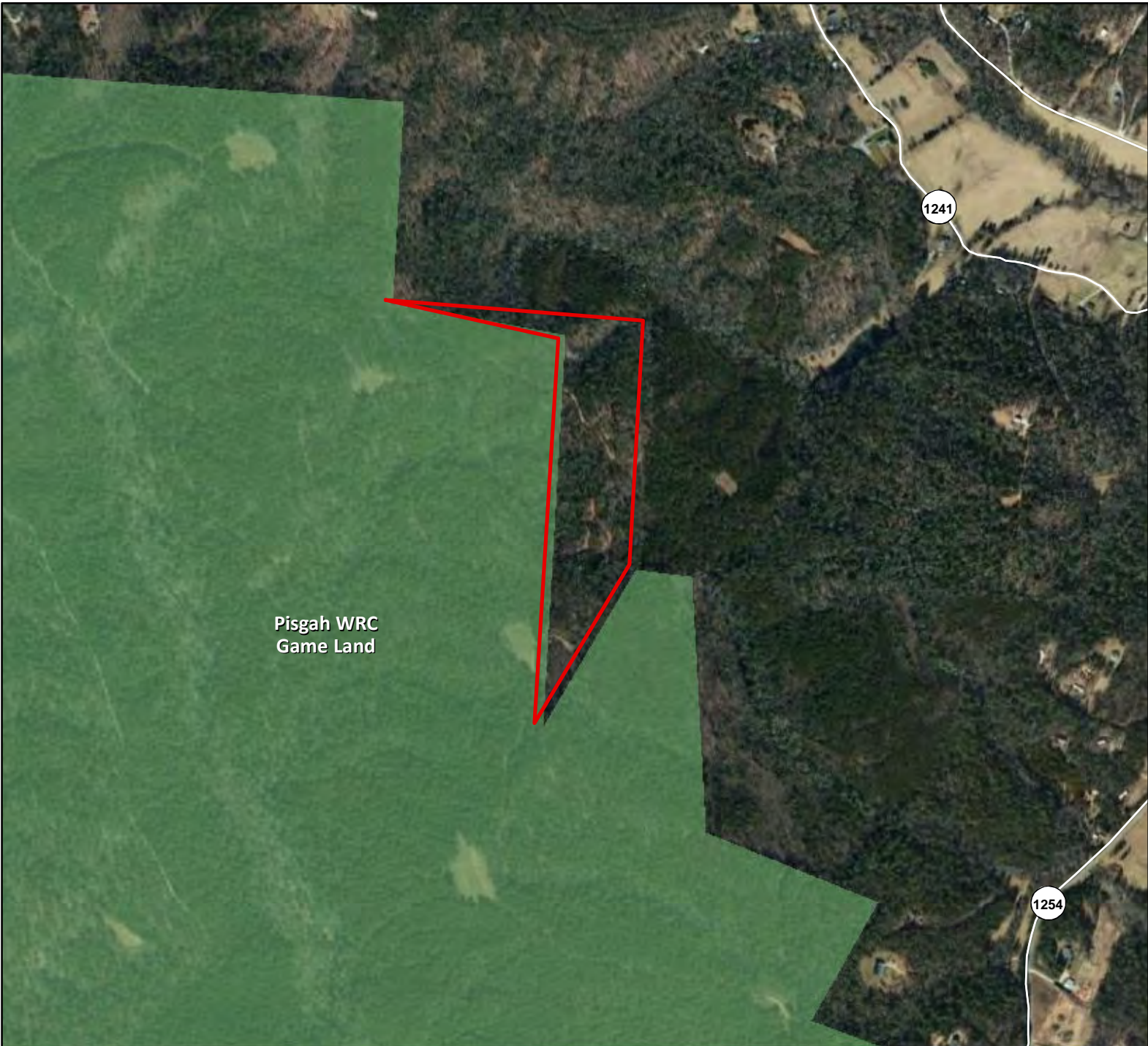
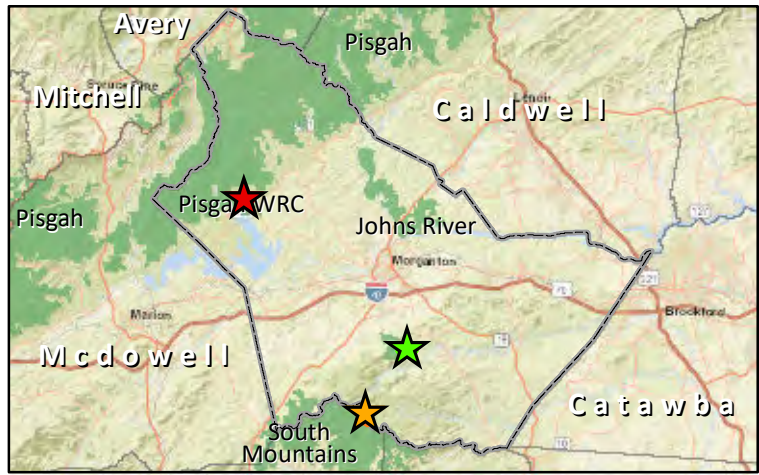
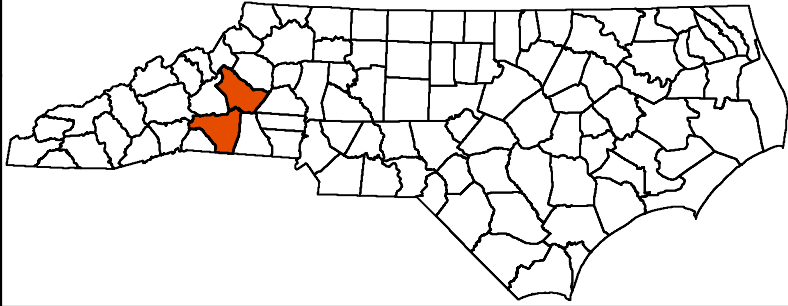
December 8, 2022


- Trade to WRC: Denton Tract, ~24 ac.
- Trade to WRC: McNeilly Tract, ~55 ac.



- Trade to Denton: WRC Tract, ~112 ac.




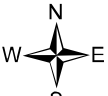
Denton Trade Burke and Rutherford Counties 79 vs.112 Acres





 Trade to WRC: Denton Tract, ~24 ac.
  Trade to Denton: WRC Tract, ~112 ac.

 Trade to WRC: McNeilly Tract, ~55 ac.

0 0.1 0.2 Miles 

December 8, 2022

EXHIBIT E-2

December 8, 2022



☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

Cameron Ingram, Executive Director

December 8, 2022

MEMORANDUM

TO: Daron Barnes, Division Chief
Land and Water Access

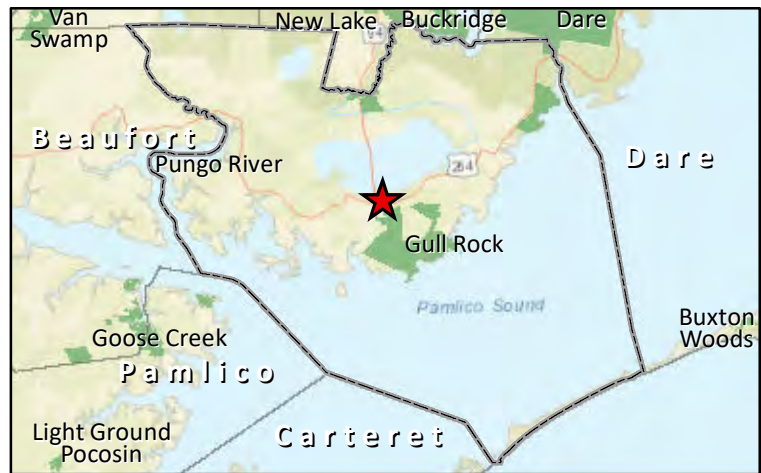
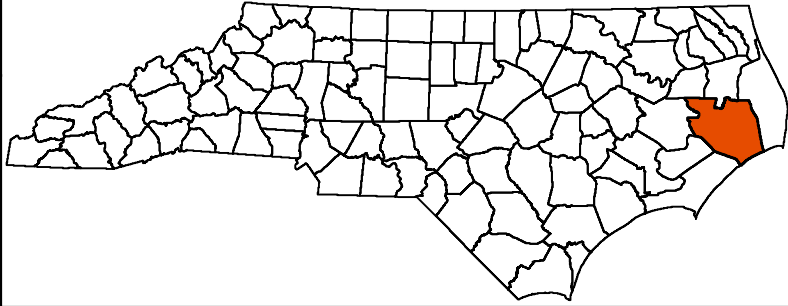
FROM: Ben Solomon, Assistant Chief and Land Acquisition Manager
Land and Water Access

SUBJECT: Lake Mattamuskeet Lodge Lease



The North Carolina Wildlife Resources Commission (WRC) requests to partner with Hyde County (County) in the form of a long-term lease to operationally utilize Mattamuskeet Lodge (Lodge) and the adjoining 6.5 acres of surrounding property for County use. The County intends to advocate the North Carolina General Assembly in the 2023-2024 session for funding to complete renovations of the Lodge. Post renovation, Hyde County would move a portion of its county operations along with staff from the Hyde County Cooperative Extension offices into the Lodge.

In the spirit of continuing a long-standing partnership with Hyde County, staff recommends seeking WRC approval to work with the County and State Property Office to execute the requested lease for a term of 30 years, which is the maximum term currently allowed without legislative approval. Staff further recommends that we do so without compensation, provided that Hyde County agrees to assume routine maintenance and operational costs associated with the term of the lease.

**Lake Mattamuskeet Lodge Lease
Hyde County
6.25 Acres**



December 8, 2022

-  Lease Area, 6.25 acres
-  Federal Land

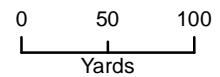


EXHIBIT E-3

December 8, 2022



☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

Cameron Ingram, Executive Director

December 8, 2022

MEMORANDUM

TO: Daron Barnes, Division Chief
Land and Water Access

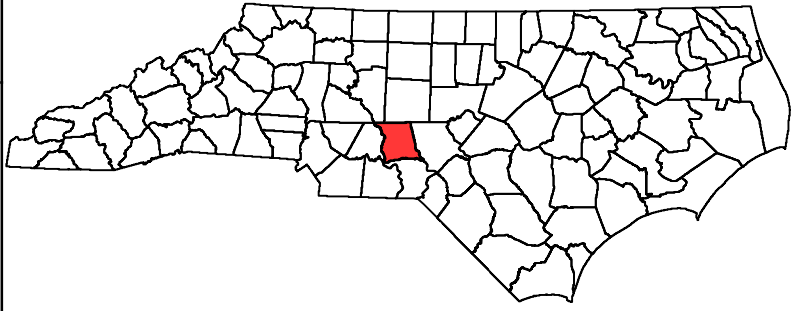
FROM: Ben Solomon, Assistant Chief and Land Acquisition Manager
Land and Water Access

SUBJECT: DOT Easement Request - Montgomery County

NCDOT seeks to purchase a permanent Right-of-Way Easement, Permanent Utility Easement, and Temporary Construction Easement as part of a median expansion project.

Staff recommends seeking Commission approval to grant the easement to NCDOT with compensation to be \$1,950 as determined by the NC State Property Office.

DOT ROW & Easements Request WRC Troy Depot Montgomery County



December 8, 2022

- DOT Right of Way, 0.277 ac.
- Permanent Utility Easement, 0.183 ac.
- Temporary Utility Easement, 0.015 ac.

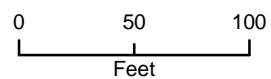


EXHIBIT E-4

December 8, 2022



☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

Cameron Ingram, Executive Director

December 8, 2022

MEMORANDUM

TO: Daron Barnes, Division Chief
Land and Water Access

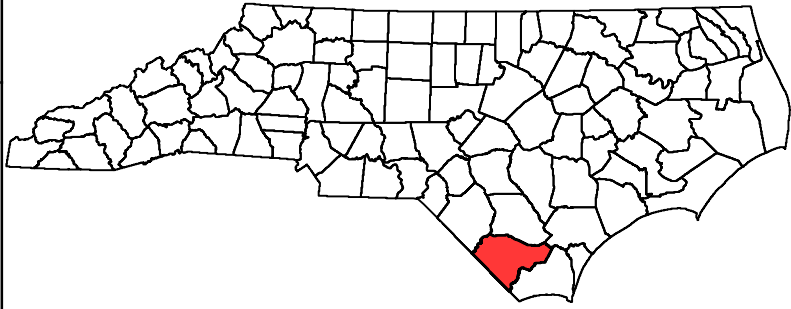
FROM: Ben Solomon, Assistant Chief and Land Acquisition Manager
Land and Water Access

SUBJECT: DOT Easement Request - Columbus County



NCDOT seeks to purchase a permanent Permanent Drainage Easement as part of a bridge replacement project in Columbus County, adjacent to Columbus County Game Land.

Staff recommends seeking Commission approval to grant the easement to NCDOT with compensation to be \$175 as determined by the NC State Property Office.

DOT Drainage Easement Request Columbus County Game Land Columbus County



December 8, 2022

-  Permanent Drainage Easement - 0.214 ac.
-  DOT SR 1928

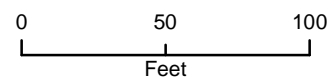


EXHIBIT F-1

December 8, 2022



Public Comments for 15A NCAC 10F .0314 New Hanover County

There were no public comments.

One public hearing was held on November 9, 2022.

EXHIBIT F-2

December 8, 2022



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0314 NEW HANOVER COUNTY CITY OF WILMINGTON

The Notice of Text for adoption of an amendment to 15A NCAC 10F .0314, to extend the No Wake Zone in a portion of Bradley Creek in Wilmington was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on this proposed Rule amendment, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be February 1, 2023.

15A NCAC 10F .0314 NEW HANOVER COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters in New Hanover County:

- (1) the area bounded on the north by the US 74-76 Bridge crossing the Intracoastal Waterway, on the south by a line shore to shore intersecting Intracoastal Waterway marker number 127, on the west by the shore of Wrightsville Sound, and on the east by a line perpendicular to US Highway 74-76 and intersecting marker number 25 in Motts Channel;
- (2) the area of Motts Channel between marker number 25 at the Intracoastal Waterway on the west and marker number 16 at the entrance from Banks Channel on the east;
- (3) ~~the area bounded on the west by the US 76 Bridge crossing Bradley Creek, on the north and south by the banks of Bradley Creek, on the east by a line from a point on the southwest shore at 34.21298 N, 77.83173 W, to a point on the northeast shore at 34.21446 N, 77.83063 W;~~ the waters of the navigation channel in that portion of Bradley Creek in the City of Wilmington between the US 76 Bridge crossing Bradley Creek and Channel Marker 8, near the mouth of Bradley Creek at 34.20858 N, 77.82272 W;
- (4) Lee's Cut from its western intersection with the Intracoastal Waterway at 34.21979 N, 77.80965 W, to its eastern intersection with Banks Channel at 34.21906 N, 77.79645 W;

- (5) the unnamed channel lying between the shore west of Bahama Drive in the Town of Wrightsville Beach and an unnamed island located approximately 500 feet northeast of the US 74 bridge over Banks Channel; and
- (6) the waters of the Northeast Cape Fear River between the US Hwy. 117 bridge and the railroad trestle 60 yards east of the Castle Hayne Boating Access Area.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Placement of Markers. The Board of Commissioners of New Hanover County shall be the designated agency for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;

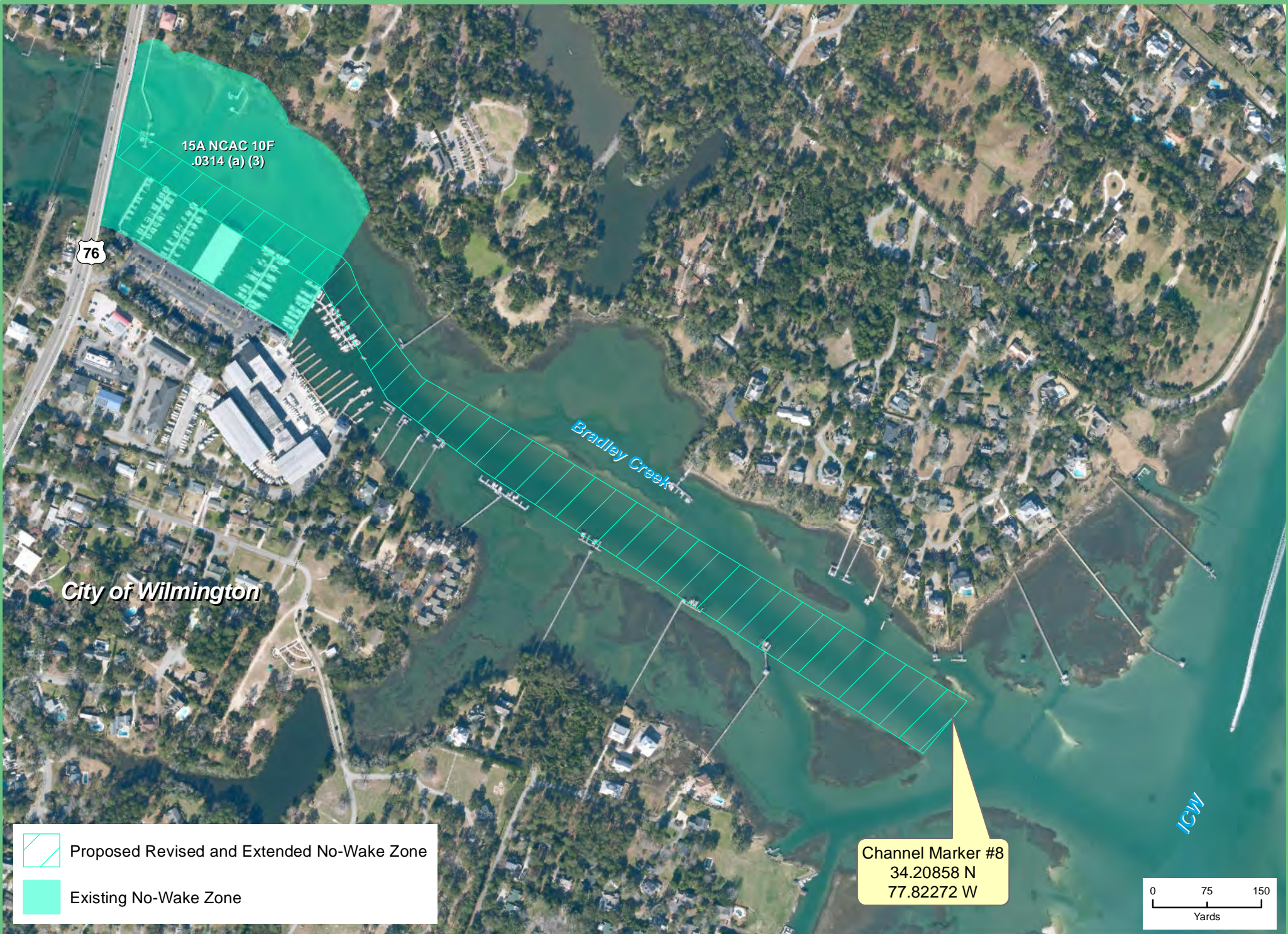
Eff. February 1, 1976;


Amended Eff. July 1, 1993; May 1, 1989; June 1, 1987; May 1, 1987;


Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;

Amended Eff. February 1, 2023; October 1, 2018; April 1, 2017.

15A NCAC 10F .0314 (a) (3) - Proposed Revised and Extended No Wake Zone
Bradley Creek, City of Wilmington, New Hanover County



 Proposed Revised and Extended No-Wake Zone

 Existing No-Wake Zone

Channel Marker #8
34.20858 N
77.82272 W

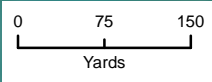


EXHIBIT G-1

December 8, 2022



Public Comments for 15A NCAC 10F .0361 Wilkes County

There were no public comments.

One public hearing was held on November 9, 2022.

EXHIBIT G-2

December 8, 2022



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0361 WILKES COUNTY W. KERR SCOTT RESERVOIR

The Notice of Text for adoption of amendments to 15A NCAC 10F .0361, to extend the No Wake Zones at Dam Site Park and incorporate the entire cove where Smithey's Creek Boat Ramp and ADA Fishing Area and Fort Hamby BAA are located, to incorporate the Safety Zone adjacent to the dam, and to replace vague text language and itemize descriptions and locations of existing no-wake zones and marked swimming areas was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on these proposed Rule amendments for the W. Kerr Scott Reservoir, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be February 1, 2023.

15A NCAC 10F .0361 WILKES COUNTY

(a) Regulated Areas. This Rule shall apply to ~~those waters within 50 yards of any marked boat launching area, bridge, dock, pier, marina, boat storage structure, or boat service area located~~ to the following waters on W. Kerr Scott Reservoir in Wilkes County:

- (1) the waters of Dam Site Park Cove at Dam Site Shelter, 499 Reservoir Road, Wilkesboro, south of a line at the mouth of the cove from a point on the east shore at 36.13090 N, 81.22955 W to a point on the west shore at 36.13040 N, 81.23122;
- (2) the waters of the cove at Skyline Marina, 4008 W. N.C. Hwy 268, Wilkesboro, south of a line at the mouth of the cove from a point on the east shore at 36.12738 N, 81.23530 W to a point on the west shore at 36.12608 N, 81.23847 W;
- (3) the waters of the cove north and west of Berry Mountain Park, 4732 W. N.C. Hwy 268, Wilkesboro, south of a line at the mouth of the cove from a point on the east shore at 36.12558 N, 81.24025 W to a point on the west shore at 36.12545 N, 81.24245 W, surrounding the Berry Mountain swim beach, and to the southwest to the end of the cove;
- (4) within 50 yards of the Boomer Park boat ramp, 400 Boomer Road, Boomer;

- (5) within 50 yards of the Keowee boat ramp, 7659 N.C. Hwy 268, Boomer;
- (6) the waters of the cove where Smithey's Creek boat ramp and Fort Hamby boat ramp are located, northwest of a line at the mouth of the cove from a point on the east shore at 36.12612 N, 81.26129 W to a point on the west shore at 36.12361 N, 81.26404 W;
- (7) the waters within 50 yards north and 50 yards south of the N.C. Hwy 268 Bridge, at 36.09902 N, 81.28070 W;
- (8) the waters within 50 yards surrounding the Boomer Park Beach Swim Area located at 400 Boomer Road, Boomer;
- (9) the waters within 50 yards surrounding the Fort Hamby Swim Area located at 1534 S. Recreation Road, Wilkesboro; and
- (10) the waters of the cove where the Warrior Creek Swim Area is located, southwest of a line at the mouth of the cove from a point on the south shore at 36.10494 N, 81.28304 W to a point on the north shore at 36.10591 N, 81.28412 W.

(b) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter the waters of the following swim areas:

- (1) the waters of the Fort Hamby Swim Area located at 36.12314 N, 81.26870 W, at 1534 S. Recreation Road, Wilkesboro;
- (2) the waters of Warrior Creek Swim Area located at 36.10367 N, 81.28664 W, at 7659 W. Hwy 268, Boomer;
- (3) the waters of Boomer Park Beach Swim Area located at 36.09271 N, 81.27967 W, 400 Boomer Road, Boomer;
- (4) the waters of the Berry Mountain Park Swim Beach located at 36.12498 N, 81.24010 W, 4732 W. N.C. Hwy 268, Wilkesboro; and
- (5) the waters of the Bandit's Roost Park Swim Area located at 36.12425 N, 81.25172 W, 667 Jess Walsh Road, Wilkesboro.

(c) Safety Zone. With the exception of authorized persons and vessels, no entry shall be allowed in the waters 50 yards downstream from the W. Kerr Scott Dam and Intake Tower.

(d) Speed Limit. No person shall operate a vessel at greater than no wake speed within the regulated areas described in Paragraph (a) of this Rule.

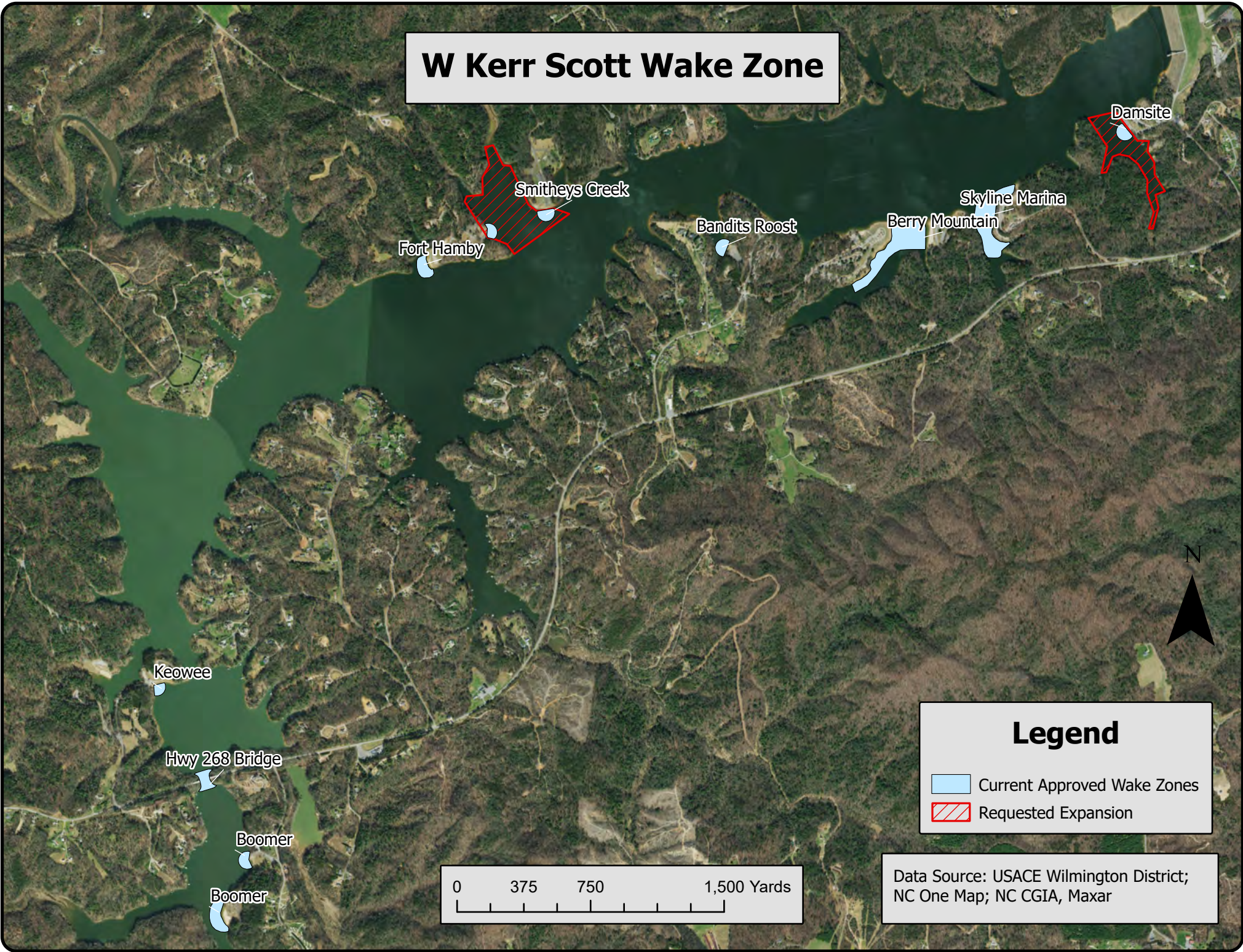
(e) Placement of Markers. The Wilkes County Board of Commissioners and the U.S. Army Corps of Engineers shall be the designated agencies for placement and maintenance of the markers implementing this Rule, subject to the authority of the U.S. Army Corps of Engineers.

~~(b) Speed Limit. No person shall operate a vessel at greater than no wake speed within any of the regulated area described in Paragraph (a) of this Rule.~~

~~(e) Placement of Markers. The Wilkes County Board of Commissioners shall be the designated agency for placement of the markers implementing this Rule.~~

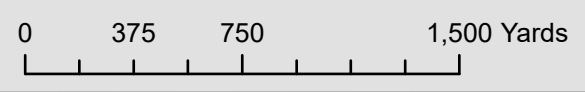
*History Note: Authority G.S. 75A-3; 75A-15;
Eff. September 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December
6, 2016;
Amended Eff. February 1, 2023; October 1, 2018.*

W Kerr Scott Wake Zone



Legend

-  Current Approved Wake Zones
-  Requested Expansion



Data Source: USACE Wilmington District;
NC One Map; NC CGIA, Maxar

EXHIBIT H-1

December 8, 2022



Public Comments for 15A NCAC 10F .0336 Northampton and Warren counties

There were no public comments.

One public hearing was held on November 9, 2022.

EXHIBIT H-2

December 8, 2022



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES

The Notice of Text for adoption of amendments to 15A NCAC 10F .0336, to incorporate into the North Carolina Administrative Code the no-wake zone at the Stonehouse Timber Lodge Marina on Lake Gaston, and the new Odom Boating Access Area on the Roanoke River was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on the proposed amendments to the Rule for Northampton and Warren counties, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be February 1, 2023.

15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES

(a) No person shall operate a vessel at greater than no-wake speed in the following waters of Lake Gaston and the Roanoke River in Northampton and Warren counties.

(1) Lake Gaston:

- (A) the cove on the north shore of Lake Gaston in Northampton County east of SR 1252 otherwise known as Vincent Lane, shore to shore from a point on the north shore at 36.51660 N, 77.82226 W to a point on the south shore at 36.51578 N, 77.82269 W;
- (B) Jimmies Creek in Northampton County shore to shore, north of a line from a point on the east shore at 36.52450 N, 77.82600 W to a point on the west shore at 36.52445 N, 77.82810 W;
- (C) within 50 yards of the Henrico Boating Access Area in Northampton County, 142 Wildlife Landing Road, Henrico, N.C.;
- (D) within 50 yards of the Vulture Boating Access Area in Northampton County, 773 Old Gaston Road, Gaston, N.C.;
- (E) within 50 yards east and west of the N.C. Highway 903 Eaton Ferry Road Bridge in Warren County;

- (F) within 50 yards of the Hawtree Creek Boating Access Area in Warren County, 1200 Peete Farm Road, Warrenton, N.C.;
 - (G) within 50 yards of the Salmons Landing Boating Access area in Warren County, 129 Salmon Landing Road, Littleton, N.C.;
 - (H) within 50 yards of the Wildwood Point boat ramp in Warren County, 184 N. Oak Drive, Littleton, N.C.;
 - (I) within 50 yards of the Lizard Creek boat ramp in Warren County, 417 Lizard Creek Road, Littleton, N.C.;
 - (J) Songbird Creek in Warren County within 50 yards of the culvert under N.C. Highway 903 at 36.53260 N, 77.97330 W; and
 - (K) Sixpound Creek in Warren County within 50 yards of the culvert under SR 1704 otherwise known as Nocarva Road at 36.52950 N, 78.07283 W;
 - (L) Lizard Creek in Warren County within 50 yards of the culvert under SR 1362 otherwise known as Lizard Creek Road at 36.52501 N, 77.91187 W;
 - (M) within 50 yards of the Waters View Restaurant adjacent to the northwest end of the N.C. Highway 903 bridge in Warren County;
 - (N) the cove west of the Pointe at Lake Gaston at the southwest end of the N.C. Highway 903 bridge in Warren County, south of a point at 36.50937 N, 77.96644 W;
 - (O) Camp Willow Run Canoe and Sail Cove in Warren County, beginning at a line shore to shore from a point on the southwest shore at 36.49355 N, 77.91795 W, to a point on the north shore at 36.49534 N, 77.91508 W; ~~and~~
 - (P) the cove on Hubquarter Creek in Warren County, shore to shore beginning at a line from a point on the northeast shore at 36.50030 N, 78.00474 W to a point on the southwest shore at 36.49947 N, ~~78.00553 W.~~ 78.00553 W; and
 - ~~(Q) the waters of the cove east of the Stonehouse Timber Lodge Marina, 154 Stonehouse Lodge Drive, Littleton, N.C., shore to shore south of a point at 36.49206 N, 77.94085 W.~~
- (2) ~~Roanoke River. No person shall operate a vessel at greater than no wake speed in Roanoke River in Northampton County within 50 yards of the Gaston Boating Access Area, 601 Roanoke Rapids Road, Gaston, N.C. Roanoke River:~~
- ~~(A) within 50 yards of the Gaston Boating Access Area, 601 Roanoke Rapids Road, Gaston, N.C.~~
 - ~~(B) within 50 yards of the Odom Boating Access Area, 1017 Striper Lane, Jackson, N.C.~~
- (b) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area on the waters of Lake Gaston within Northampton and Warren counties.
- (c) ~~Placement of Markers. The Boards of Commissioners of Northampton County and Warren County shall be the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers.~~ Placement of Markers. The following agencies shall be the

designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) The Boards of Commissioners of Northampton County and Warren County shall be responsible for placement of markers for the regulated areas designated in Subparagraph (a)(1)(A), (B), and (H) through (Q) of this Rule; and
- (2) The North Carolina Wildlife Resources Commission shall be responsible for placement of markers for the regulated areas designated in Subparagraph (a)(1)(C) through (G) and Subparagraph (a)(2)(A) and (B) of this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. March 29, 1981;
Amended Eff. June 1, 1994; March 1, 1993; September 1, 1989;
Temporary Amendment Eff. March 15, 2003;
Temporary Amendment Expired October 12, 2003;
Amended Eff. May 1, 2014; May 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. February 1, 2023; June 1, 2022; February 1, 2020; October 1, 2018.*

15A NCAC 10F .0336 (a) (1) (Q) - Proposed No-Wake Zone
Lake Gaston, Littleton, Warren County



Lake Gaston

36.49206 N
77.94085 W

Stonehouse Timber
Lodge Marina

Proposed No-Wake Zone

Danger Buoy

0 50 100
Yards



EXHIBIT I-1

December 8, 2022



Public Comments for 15A NCAC 10F .0326 Pamlico County

There were no public comments.

One public hearing was held on November 9, 2022.

EXHIBIT I-2

December 8, 2022



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0326 PAMLICO COUNTY

The Notice of Text for adoption of amendments to 15A NCAC 10F .0326, for technical changes to the descriptions and addresses of four Boating Access Areas in Pamlico County was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on these proposed Rule amendments for Pamlico County, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be February 1, 2023.

15A NCAC 10F .0326 PAMLICO COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters or portions of waters in Pamlico County:

- (1) Silverthorn Bay off of Burton Creek: the waters of Burton Creek known as Silverthorn Bay, Creek in Merritt, north of a line at a point on the east shore at 35.09531 N, 76.60791 W to a point on the west shore at 35.09572 N, 76.60883 W.
- (2) Minnesott Beach: the Minnesott Beach Yacht Basin Alligator Gut Basin and its access channel extending 30 yards beyond the outermost rock jetties in Neuse ~~River~~, River, east of Neuse River Drive, Minnesott Beach.
- (3) within 50 yards of Lee's Landing Boating Access Area on Upper Broad Creek, at 3337 Lee Landing Road, Reelsboro.
- (4) within 50 yards of the Vandemere Waterfront Park and Boat Ramp's eastern end at the concrete walkway, at 86 Griffin Road in Vandemere.
- (5) within 50 yards of the Dawson Creek Boating Access Area on Dawson Creek, at 303 Creek Place Road, Oriental.
- (6) within 50 yards of the Oriental Boating Access Area on Smith Creek, at 100 Midyette Street, Oriental.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed in the regulated areas described in Paragraph (a) of this Rule.

(c) Placement of Markers. ~~The Board of Commissioners of Pamlico County shall be the designated agency for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.~~ The following agencies shall be the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) The Board of Commissioners of Pamlico County for the regulated areas designated in Subparagraph (a)(1) and (2) of this Rule; and
- (2) The North Carolina Wildlife Resources Commission for the regulated areas designated in Subparagraph (a)(3) through (6) of this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. May 1, 1977;
Amended Eff. December 1, 1985; November 1, 1977;
Temporary Amendment Eff. March 15, 2003;
Temporary Amendment Expired October 12, 2003;
Amended Eff. May 1, 2014; May 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. February 1, 2023; October 1, 2018.*

EXHIBIT J-1

December 8, 2022



Public Comments for 15A NCAC 10F .0327 Montgomery County

There were no public comments.

One public hearing was held on November 9, 2022.

EXHIBIT J-2

December 8, 2022



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0327 MONTGOMERY COUNTY

The Notice of Text for adoption of a technical correction to 15A NCAC 10F .0327, to add the address of the Old North State Marina on Badin Lake was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on this proposed technical correction for Montgomery County, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be February 1, 2023.

15A NCAC 10F .0327 MONTGOMERY COUNTY

(a) Regulated Areas. This Rule shall apply to the waters and portions of waters described as follows:

- (1) Badin Lake.
 - (A) Lake Forest Drive Cove shore to shore, west of a point 50 yards east of the fueling site at the marina at 35.48739 N, 80.10918 W;
 - (B) Garr Creek shore to shore, north of a line beginning at a point on the east shore at 35.47952 N, 80.13633 W to a point on the west shore at 35.47946 N, 80.13932 W;
 - (C) the channel between Beyer's Island and the mainland, shore to shore beginning at a line from a point on Beyer's Island at 35.49102 N, 80.10221 W to a point on the mainland at 35.49230 N, 80.10241 W, ending at a line westward, from a point on Beyer's Island at 35.48988 N, 80.10573 W to a point on the mainland at 35.49077 N, 80.10702 W;
 - (D) within 50 yards of the fueling station at the Old North State Marina at the entrance to a cove within the ~~Uwharrie Point community~~; Uwharrie Point community at 139 Marina Lane in New London;
 - (E) within 50 yards of the Circle Drive Boating Access Area, at 724 Shoreline Drive in New London;
 - (F) within 50 yards of Lakemont Boating Access Area, at 241 Lakemont Road in New London;
- and

- (G) within 50 yards of the Cove Boat Ramp at 400 Cove Road in New London.
- (2) Lake Tillery.
 - (A) the waters within 50 yards of the boat ramp in the south end of Woodrun Cove at 35.33113 N, 80.06277 W;
 - (B) Carolina Forest Cove shore to shore and the waters within 50 yards of the boat ramps and boat slips at the end of Arroyo Drive in Carolina Forest Community, from a point on the south shore at 35.36276 N, 80.05386 W, northeast to a point on the north shore at 35.36405 N, 80.05304 W;
 - (C) Lilly's Bridge Boating Access Area shore to shore, from line 25 feet north of the SR 1110 bridge otherwise known as Lillys Bridge Road at a point on the east shore at 35.23223 N, 80.06166 W, to a point on the west shore at 35.23289 N, 80.06318 W, to a line 200 feet southwest of the Lilly's Bridge Boating Access Area, from a point on the east shore at 35.23067 N; 80.06262 W, to a point on the west shore at 35.23156 N; 80.06437 W; and
 - (D) within 50 yards of Swift Island Boating Access Area at 4917 NC Highway 24/27 in Mount Gilead.
- (3) Tuckertown Reservoir. Pee Dee River, within 50 yards of the Clarks Creek Boating Access Area at 177 Tillery Dam Road in Mount Gilead.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any regulated area described in Paragraph (a) of this Rule.

(c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the marked swimming area on Badin Lake at the Pinehaven Village beach area at 370 Pinehaven Drive in New London, within 50 feet of the shoreline between points at 35.49927 N, 80.11428 W; and 35.49934 N, 80.11437 W.

~~(e)~~(d) Placement of Markers. The following agencies shall be responsible for placement or placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers:

- (1) The Board of Commissioners of Montgomery County for placement of the markers implementing Parts (a)(1)(A), (B), (C), (D), and (a)(2)(A), and (B) of this Rule;
- (2) The North Carolina Wildlife Resources Commission for placement and maintenance of the markers implementing Parts (a)(1)(E), (F), (a)(2)(C), (D), and Subparagraph (a)(4) of this Rule;
- (3) The Board of Commissioners of Montgomery County shall be the designated agency for placement and maintenance of the ropes and markers implementing Paragraph (c) of this Rule; and
- (4) The U.S. Forest Service for placement and maintenance of the markers implementing Part (a)(1)(G) of this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1977;
Amended Eff. December 1, 1990; May 1, 1989; March 25, 1978;*

Temporary Amendment Eff. June 1, 1998;
Amended Eff. April 1, 1999; July 1, 1998;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2006; June 1, 2005; April 1, 2003;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December
6, 2016;
Amended Eff. October 1, 2018; April 1, 2017;
Emergency Amendment Eff. July 30, 2019;
Temporary Amendment Eff. October 1, 2019;
Amended Eff. May 1, 2020;
Temporary Amendment Eff. June 1, 2020;
Temporary Amendment Expired March 12, 2021;
Amended Eff. February 1, 2023; June 1, 2022; October 1, 2021.

EXHIBIT K-1

December 8, 2022



Public Comments for 15A NCAC 10F .0301 General Provisions

There were no public comments.

One public hearing was held on November 9, 2022.

EXHIBIT K-2

December 8, 2022



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0301 GENERAL PROVISIONS

The Notice of Text for adoption of an amendment to 15A NCAC 10F .0301, for a technical correction to remove language that limits the size of a Safety Zone where vessel access is denied was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on the proposed Rule amendment to 15A NCAC 10F .0301, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be February 1, 2023.

15A NCAC 10F .0301 GENERAL PROVISIONS

(a) Definitions. The definitions used in G.S. 75A shall apply in this Subchapter. In addition, the following definitions shall apply:

- (1) "Commission" means the North Carolina Wildlife Resources Commission;
- (2) "Executive Director" means the Executive Director of the Commission;
- (3) "No wake speed" means idle speed or slow speed creating no appreciable wake;
- (4) "USATONS" means the U. S. Aids to Navigation System, which prescribes regulatory markers and aids to navigation that mark navigable waters of the United States, and is hereby incorporated by reference including all subsequent amendments and editions and can be found free of charge online at www.ecfr.gov;
- (5) "Designated agency" means a subdivision of the State that the Commission designates for placement of markers that conform to USATONS standards;
- (6) "Regulatory Marker" and "Information Marker" means markers with an orange geometric shape against a white background, used to alert a mariner to warnings or regulatory matters, as defined in 33 CFR 62.33;
- (7) "Swimming area" means an enclosed area on the water for swimming that is marked against entry by vessels;

- (8) "Mooring area" means an area on the water delineated by speed zone markers where vessels may be tied to objects anchored on the seabed;
- (9) "Restricted area" means an area on the water that is marked to limit recreational activity and vessel speed; and
- (10) "Safety Zone" means a water area or shore area where, for safety or environmental purposes, access is limited to authorized persons and vessels, as defined in 33 CFR 165.20.

(b) Formal application for water safety rulemaking. Any subdivision of the State may, after public notice, apply to the Commission for rules on waters within the subdivision's territorial limits on an application provided by the Commission at www.ncwildlife.org. The completed application and supporting documents shall be mailed to the No Wake Zone Coordinator at North Carolina Wildlife Resources Commission, 1701 Mail Service Center, Raleigh, North Carolina 27699-1701 or submitted via email to nowakezonecoordinator@ncwildlife.org. The application shall contain the following information:

- (1) the name of the subdivision of the State applying for water safety rulemaking;
- (2) the date of the application;
- (3) the contact person's name, telephone number, and mailing address;
- (4) descriptive information for the body of water;
- (5) location of the proposed no wake zone, marked swimming area, or other regulated area;
- (6) a statement that the subdivision of the State has given public notice of its intention to apply for rulemaking on waters within its territorial limits;
- (7) a resolution from the subdivision of the State requesting water safety rulemaking; and
- (8) an affirmation that the subdivision of the State or its designee will bear the cost for purchase and placement of markers that conform to USATONS standards.

(c) Marking Regulated Areas. The Commission may designate agencies for the placement of markers in areas established by rules in this Section. The designated agency or its designee shall be responsible for the purchase and placement of markers conforming to USATONS required to implement a water safety rule.

(d) Placement of Markers. Except where done by supervening federal authority, it shall be unlawful for anyone to place or maintain regulatory markers or navigational aids without authorization from the Commission; or to place information markers without permission from the Executive Director or his or her designee.

(e) Mooring Areas. The boundaries of mooring areas shall be defined by the placement of speed zone markers.

(f) Swimming Areas. No vessel entry shall be permitted in the waters of marked swimming areas. Marked swimming areas shall meet the following requirements:

- (1) the enclosed swimming area in the water shall not exceed 5,000 square feet;
- (2) the enclosed area shall be marked with float lines that, in conjunction with the shoreline, form an enclosed area;
- (3) the swimming area shall not extend into a navigational channel or interfere with navigation of vessels;

- (2) float lines shall have white, international orange, or alternating white and international orange floats along their length at intervals of not less than one every 10 feet;
- (3) floats shall be buoyant enough to float at the surface of the water while attached to the float line, and no float shall exceed a size of 18 inches in length or diameter;
- (4) buoys or floating signs bearing the USATONS "boat exclusion area" symbol shall be attached to float lines to give warning to vessels approaching the swimming area from all directions; and
- (5) float lines and warning markers shall be anchored.

(g) Safety Zones. Markers prohibiting entry or use by vessels and swimmers in waters surrounding impoundment structures and powerhouses associated with hydroelectric generating facilities shall be buoys or floating signs placed in the water. ~~water no greater than 50 yards from the protected facility.~~ Markers shall be sufficient in number and size to give warning of the restriction to vessels approaching from all directions.

(h) Enforcement. If an agent of the Commission discovers markers and navigational aids that do not conform to USATONS standards, that are placed without lawful authority or permission, or that fail to mark the defined regulated area, written notice shall be served upon the individuals responsible for the improper placement of the markers or navigational aids. Failure to take action to correct the deficiency within 10 days, in accordance with the written notice, shall be a violation of this Rule.

(i) Miscellaneous Restrictions. Except for mooring buoys or markers that are specifically permitted by State or federal law, it shall be unlawful to tie a vessel to any waterway marker, as specified in 33 CFR 70.05. It shall be unlawful for any unauthorized person to move, remove, damage, block, paint over, or tamper with any marker lawfully placed in the waters of North Carolina in conformity with these rules or USATONS standards.

History Note: Authority G.S. 75A-15;
Eff. February 1, 1976;
Amended Eff. November 1, 1993; March 25, 1978;
Temporary Amendment Eff. July 1, 1998;
Amended Eff. April 1, 1999;
Readopted Eff. ~~November 1, 2018.~~ November 1, 2018;
Amended Eff. February 1, 2023.

EXHIBIT L

December 8, 2022



PERMANENT RULEMAKING NOTICE OF TEXT FOR PROPOSED AMENDMENTS TO 15A NCAC 10F .0308 – CLAY COUNTY

As part of the agency's Periodic Review of Rules, staff requests consideration of rulemaking to publish Notice of Text for four amendments to 15A NCAC 10F .0308 – Clay County on Chatuge Lake. The proposed amendments will extend a no-wake zone at Ho Hum Campground boat ramp; remove an existing no-wake zone in the waters of McCracken Cove because of the lack of necessity to mitigate substantial boater safety hazards there; codify into the North Carolina Administrative Code (NCAC) an existing marked swimming area that was added by Clay County at the Clay County Recreational Park, within a no-wake zone that was codified in the same area in 2021; and codify into the NCAC a Restricted Area where recreational activity and vessel speed shall be limited at the longstanding Jack Rabbit Mountain Swim Area and no-wake zone.

Agency Enforcement has investigated the four areas. The Assessment Matrix for the Ho Hum Campground (**Attachment A and Map**) notes several hazards to boater safety and navigation including a narrow shallow channel that drops to 20 feet wide at low water. There is a boat dock that docks as many as 40 boats, beside the very busy boat ramp. The current 50-yard no-wake zone ends only 10 yards from the boat dock, which is not of sufficient size to regulate vessel speed there. The extended no-wake zone will include the narrow channel, boat ramp, and boat dock.

An Assessment Matrix was completed to consider sufficient boater safety hazards that might exist in McCracken Cove (**Attachment B and Map**), which has been marked as a no-wake zone since 2004. Enforcement staff noted that the cove contains nine docks and a private boat ramp in the back of the cove that is not open to the public. Staff assessed that boater safety hazards within McCracken Cove are no different than those in other coves on Chatuge Lake. Staff recommends removal of the McCracken Cove no-wake zone due to lack of necessity.

An application for rulemaking by Clay County was approved in 2021, to adopt a no-wake zone around the peninsula where Clay County Recreational Park is located. At that time agency staff asked Clay County if they wished to establish a marked swimming area at the beach within the no-wake zone and the County declined. Sometime after 2021, however, the County installed ropes and markers for a swim area there. Law Enforcement staff completed an Assessment Matrix (**Attachment C and Map**). The marked swim area meets the standards for a marked swim area described in 15A NCAC 10F .0301. Staff requests that the marked swim area be codified in the NCAC to be legally enforceable for the safety of swimmers and to prohibit vessels from entering the roped swim area.

An Assessment Matrix (**Attachment D and Map**) was completed to determine whether a swim beach and no-wake zone at Jack Rabbit Mountain Swim Area should be incorporated into the NCAC. This longstanding public swim beach and surrounding no-wake zone have been in place for more than 30 years. While the swim area is not marked according to current standards defined in 15A NCAC 10F .0301, staff is aware that the area is widely used by the public. A Restricted Area, where recreational activity and vessel speed are limited, may therefore be incorporated into the NCAC so that the Jack Rabbit swim area and no-wake zone will be legally enforceable and provide safety to water recreationists.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of four amendments to 15A NCAC 10F .0308, with an open comment period of at least 60 days and one public hearing, per the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the amendments to extend the no-wake zone at the Ho Hum Campground Boat Ramp, remove the no-wake zone at McCracken Cove, incorporate into the NCAC a marked Swim Area at the Clay County Recreation Park, and incorporate into the NCAC a Restricted Area at Jack Rabbit Mountain Swim Area that includes a swim beach and no-wake zone.

15A NCAC 10F .0308 15A NCAC 10F .0308 CLAY COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters in Chatuge Lake:

- (1) ~~within 50 yards of the waters shore to shore within~~ 150 yards of the boat ramp at Ho Hum ~~Campground;~~
Campground at 47 Ho Hum Loop, Hayesville;
- (2) the waters of Shooting Creek, from a line shore to shore 50 yards west of the High Bridge on NC Highway 175, to a line at the southeast end of Shooting Creek shore to shore, from a point at 35.01960 N, 83.72752 W; to a point at 35.01979 N, 83.72638 W;
- (3) the waters of Gibson Cove, south of a line from a point on the east shore at 35.01005 N, 83.79750 W to a point on the west shore at 35.01099 N, 83.79929 W, southwest to the end of Gibson ~~Cove;~~Cove at 3279 Myers Chapel Road in Hayesville;
- (4) within 50 yards of the Chatuge Cove ~~Marina;~~ Marina at 2397 Highway 175 in Hayesville;
- (5) the portion of the cove shore to shore, west of Cottage Court off of NC Highway 175, northeast of a line from a point on the east shore at 35.02576 N, 83.73784 W; to a point on the northwest shore at 35.02609 N, 83.73945 W;
- (6) within 50 yards of the Chatuge Dam Spillway access ~~area;~~ area in the vicinity of 1407 Chatuge Dam Road in Hayesville; and
- ~~(7) the waters of McCracken Cove; and~~
- ~~(8)~~ (7) within 50 yards of the peninsula at Clay County Recreational Park, from a point on the north shore at 35.00850 N, 83.79254 W, east to a point in the water at 35.00874 N, 83.79187 W, south to a point in the water at 35.00782 N, 83.79119 W, southwest to a point in the water at 35.00672 N, 83.79211 W, west to a point on the shore at 35.00696 N, 83.79259 W.

(b) Speed Limit. It shall be unlawful to operate a vessel at greater than no-wake speed within any of the regulated areas identified in Paragraph (a) of this Rule.

~~(c) Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter a marked public swimming area.~~ Swimming Area. No person operating or responsible for the operation of a vessel shall allow it to enter the waters of the Clay County Recreational Park Swimming Area at Clay County Recreational Park, 47 Clay Recreation Park Road, Hayesville.

(d) Restricted Area. It shall be unlawful to operate a vessel at greater than no-wake speed within the no-wake zone at the Jack Rabbit Mountain Swim Area on Jack Rabbit Road in Hayesville. No person operating or responsible for the operation of a vessel shall allow it to enter the roped swim beach within the no-wake zone at Jack Rabbit Mountain Swim Area.

~~(e)~~ (c) Placement of Markers. The Board of Commissioners of Clay County shall be the designated agency for placement of the markers implementing this Rule, subject to the approval of the Tennessee Valley Authority and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: NC Wildlife Resources Commission
- Primary contact information: Sgt. Mickey Carpenter [REDACTED]
- Location of requested no-wake zone:
 - Body of water and County: Chatuge Lake Clay County
 - Location: Ho Hum Campground Boat Ramp
 - Popular name of area, if any: Ho Hum
 - Width of No-Wake Zone: Narrowest Point: 60 yards Widest Point: 110 Yards
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)
 This is a known campground with a boat ramp that has about 40 boats docked at any given time in the summer months. There is also a very narrow channel that is leading to this boat dock when the water level is lowered.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

Enforcement reports increasing safety hazards at this boat ramp on Lake Chatuge off of Highway 175. The 50-yard distance from the boat ramp is not adequate to mitigate safety hazards. Please evaluate for possible extension of the no-wake zone.

This is a TVA lake.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?

YES

NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

At this location there is a campground that has 85 camping sites. The campground has a dock that holds about 40 boats. There is a major safety hazard with a high traffic area coming to close to the docks and parked vessels. Also there is a narrow channel leading into the boat dock. When the water level is down the channel is only 20 yards wide.

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) There is a boat dock that has 40 boat slips.

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) 20 yards when water level is down.

SHALLOW WATER (give average depth) 15 ft at full pool/ dry 7 months out of the year



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: _____
Height above water: _____
Width between piers: _____

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

▪ Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)

Boat dock with 40 boat slips and a narrow channel



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: _____

VERIFIED COMPLAINTS List: Current Buoy is only 10 yards from dock

=====

- Rate traffic density in this area **HEAVY**
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
15A NCAC 10F .0308 CLAY COUNTY
(a) Regulated Areas. This Rule shall apply to the following waters in Chatuge Lake:
(1) within 50 yards of the boat ramp at Ho Hum Campground;
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

 YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: _____
 NO
- Total distance travelled at no-wake speed (in feet): 450 feet to boat ramp
- Estimated travel time through propose area at no-wake speed: Less than 5 minutes
- Width of proposed no-wake zone (in feet): Narrowest: 60 yards Widest: 110 yards
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

The proposed area meets the criteria to be recommended as a no-wake zone. There are two reasons that the proposed area meets the criteria.

The first reason is because there is a boat dock beside the boat ramp that has about 40 boat slips. This boat dock has a very high activity level. Currently the no-wake zone is only 10 yards from the boat dock which is not sufficient.

The second reason is because there is a narrow channel leading into the boat ramp and boat dock. The narrow channel guides boats directly at the boat dock and ramp. When the water level drops the channel is only 20 yards wide. As the water level drops, if someone is traveling above no-wake speed and unfamiliar with the channel, there is a high probability that they will run aground.

If the no-wake zone is extended to the recommended location it will include the narrow channel, boat ramp, and boat dock.

Officer: _____

Date: _____

Sergeant: Steven M. Carpenter

Date: 07/14/2022

15A NCAC 10F .0308 (a) (1) - No Wake Zone
Ho Hum Campground, Hayesville, Chatuge Lake, Clay County



Chatuge
Lake

1155

1156

175

Proposed
Buoy

150 yards



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: NC Wildlife Resources Commission
- Primary contact information: Betsy Haywood, No Wake Zone Coordinator [REDACTED]
- Location of requested no-wake zone:
 - Body of water and County: Chatuge Lake, Clay County
 - Location: the waters of McCracken Cove, currently from the mouth to the cove's end _____
 - Popular name of area, if any: McCracken Cove
 - Width of No-Wake Zone: Narrowest Point: 0' Widest Point: 350'
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)
This is a cove that has nine docks in it. There is a private boat ramp in the back of the cove.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

As part of the Periodic Review of Rules, we are requesting a reassessment of any statutory boater safety hazards within McCracken Cove that would warrant the entire cove being designated as a no-wake zone. Attached are documents from Clay County and from residents in 2004. One resident, Charlie Space, wrote the WRC in 2004, "the no-wake requirement under NC law is 100 feet from a dock, boat or swimmers." He went on to state, "Most of the previous speeders are out of state visitors who may not know of the 100 foot no-wake law in NC" and also stated that McCracken Cove is located far off the main channel and is the narrowest and most congested cove." Space stated that "approximately four years ago TVA issued a permit for a local private boat ramp to one of the Cove homeowners, a ramp now used by residents of McCracken Cove." He stated it therefore warrants regulation from the mouth to include the entire area. Please review any statutory criteria as far as distance from a dock, boat or swimmers that warrant the entire cove remaining a no-wake zone. Also please verify that there is a boat ramp available to the public located within that cove, and that should be itemized in the Rule. This Rule amendment was codified in the NCAC on May 1, 2005, based on the criteria located in the file.

This lake is subject to TVA permitting.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?

YES

NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

There is a private boat ramp in McCracken cove and nine privately owned docks in the cove.

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) nine privately owned docks

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) _____



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: _____
Height above water: _____
Width between piers: _____

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

- Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: _____

VERIFIED COMPLAINTS List: _____

=====

- Rate traffic density in this area MEDIUM
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
None
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: _____
 NO
- Total distance travelled at no-wake speed (in feet): approximately 700'
- Estimated travel time through propose area at no-wake speed: 4 minutes
- Width of proposed no-wake zone (in feet): Narrowest: 0' Widest: 350'
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

Currently the no wake zone in the NCAC states McCracken Cove. It does not have a designated location for the no wake zone buoy.

In this cove there is nine boat docks and a privately owned boat ramp. There isn't any other dangers or obstructions in the cove.

In the last year there has not been a buoy in McCracken cove and we have not received any complaints or been notified of any incidents in this cove. This cove is not any different than any other cove on the lake besides it having a privately owned boat ramp in the back of it. If this cove is designated as a no wake zone the rest of the coves on the lake will need one as well.

Officer: _____

Date: _____

Sergeant: S. M. Carpenter #153

Date: 10/25/2022

McCracken Cove

No Wake



Google Earth



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: Wildlife Resources Commission-possible referral to Clay County
- Primary contact information: _____
- Location of requested no-wake zone:
 - Body of water and County: Lake Chatuge Clay County
 - Location: peninsula at Clay Co Recreational Park; marked swim zone within no-wake zone _____
 - Popular name of area, if any: Clay County Recreation Park Swim Area _____
 - Width of No-Wake Zone: Narrowest Point: _____ Widest Point: _____
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)

The no wake zone at the peninsula where Clay Co Recreation Park was codified in the NCAC in 2021. This marked swim zone has been added by the County within the no-wake zone.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

Clay County declined to establish a marked swim zone at this site in 2021, where vessel entry would be prohibited. WRC since has identified the placement by the County of a properly marked swim area there; however it is not in the NCAC. Codification in the NCAC would make this marked swim area legal and enforceable.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?
YES Lake Chatuge is under the authority of the Tennessee Valley Authority.
NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) _____

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) _____



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: _____
Height above water: _____
Width between piers: _____

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

▪ Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: _____

VERIFIED COMPLAINTS List: _____

=====

- Rate traffic density in this area HEAVY
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
There is a no wake zone currently around the swim area.
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: _____
 NO
- Total distance travelled at no-wake speed (in feet): _____
- Estimated travel time through propose area at no-wake speed: _____
- Width of proposed no-wake zone (in feet): Narrowest: _____ Widest: _____
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

The proposed swim area is inside of a current no-wake zone on Chatuge Lake. This is a public beach that is maintained by Clay County. When the no-wake zone was approved Clay County was advised to go ahead and include the swim area if they planned to continue to use the swim area. Clay County has not submitted any information on the swim area. The purpose of this matrix is to include the swim area in the administrative code so that the swim area can be used in a safe manner. Currently there isn't any law prohibiting boats from entering the swim area. This is a safety issue with children playing and swimming in that location.

By approving the swim area we can prevent boaters from entering the swim area. The swim area will then be included in the administrative code which will make the restriction enforceable by wildlife enforcement officers.

Officer: _____

Date: _____

Sergeant: S. M. Carpenter #153

Date: 10/25/2022

15A NCAC 10F .0308 - No Wake Zone and Swim Area
Recreational Park Swim Area, Lake Chatuge, Clay County





NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: NC Wildlife Resources Commission
- Primary contact information: Sgt. Mickey Carpenter [REDACTED]
- Location of requested no-wake zone:
 - Body of water and County: Chatuge Lake, Clay County
 - Location: Jackrabbit Mountain Swim Area in Philadelphia Church Cove, Jack Rabbit Road
 - Popular name of area, if any: Jackrabbit Swim Area
 - Width of No-Wake Zone: Narrowest Point: 155' Widest Point: 260'
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)
This is a longstanding public swim beach with a no-wake zone surrounding it within approximately 50 yards of the shoreline. The swim area is not marked according to standards within 15A NCAC 10F .0301.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

This agency is interested in revising the Clay County water safety Rules to incorporate into the NC Administrative Code some areas that have long been marked locally on Chatuge Lake. Currently the Jackrabbit Swim Area is not marked according to Administrative Code standards. We may ask Clay County, as the responsible local unit of government, if they wish to change the ropes and buoys there to standard ones and then incorporate the marked Swim Zone into the NCAC. In the meantime, please assess the area to see whether it is advisable to codify the no-wake zone that is marked around the swim area.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?
YES Chatuge Lake is subject to the authority of the Tennessee Valley Authority.
NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) _____

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) _____



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: _____
Height above water: _____
Width between piers: _____

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

▪ Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)

There is a marked swim area that has been in place for 30 years or more. Around the exterior of the swim area is a marked no wake zone. Neither one of these have been added to the NCAC.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: _____

VERIFIED COMPLAINTS List: _____

=====

- Rate traffic density in this area MEDIUM
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
None
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: _____
 NO
- Total distance travelled at no-wake speed (in feet): Approximately 480 Feet
- Estimated travel time through propose area at no-wake speed: 3 minutes
- Width of proposed no-wake zone (in feet): Narrowest: 155' Widest: 260'
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

This area has a marked swim area inside of it. The marked swim area does not need boats operating at great than no wake speed near the swim area. This could cause a danger to the public. This swim area and no wake zone has been in place for over 30 years and is well known to the public. For years the no wake zone has been enforced without enforcement knowing it hadn't been included in the NCAC. This will not be any change for the public. This will just clarify in NCAC what is already existing.

Officer: _____

Date: _____

Sergeant: S. M. Carpenter #153

Date: 10/25/2022

15A NCAC 10F .0308 (c) - Restricted Area
Jack Rabbit Mountain Swim Area, Hayesville, Chatuge Lake, Clay County



EXHIBIT M

December 8, 2022



15A NCAC 10F .0316 – FORSYTH, ROCKINGHAM, AND STOKES COUNTIES APPLICATION FOR RULEMAKING FROM ROCKINGHAM COUNTY FOR PROPOSED AMENDMENTS ON BELEWS LAKE

The Wildlife Resources Commission received a formal application and Resolution from Rockingham County, requesting consideration of rulemaking on Belews Lake at Humphrey's Ridge Marina and Grill and at Humphrey's Ridge Family Campground.

Agency Enforcement has investigated the areas and returned the Assessment Matrix (**Attachment A and Maps**). Enforcement noted multiple hazards to boater safety at Humphrey's Ridge Marina and Grill. The current no-wake zone within 50 yards of the Humphrey's Ridge 3-ramp boat launching area is not of sufficient size to accommodate multiple boats waiting in line to be retrieved during boating season. Traffic from the Grill at Humphrey's Ridge creates additional congestion in that area. The long cove east of the boat ramp is obstructed by partially submerged trees and is unsafe to be navigated at greater than no-wake speed. The smaller cove which contains private docks leased by Humphrey's Ridge Marina is shallow, and not navigable when the water level drops. Enforcement believes that unapproved no-wake buoys that have been present for more than 20 years may have slowed vessels enough to avoid boating incidents. Approving a larger no-wake zone will allow for legal enforcement of the busy and hazardous part of the lake and will mitigate boater safety and navigation hazards.

At the request of Rockingham County, Enforcement staff also evaluated the area within 50 yards of the shoreline of the Humphrey's Ridge Family Campground. Enforcement stated that the cove extending toward the causeway on Oak Level Church Road does not have high levels of boat traffic. Most of the boats using the campground docks are operated by residents of the campground. Enforcement believes that vessel speed concerns in and out of the area by the residents should be conveyed by the owners of the campground without implementation of a designated no-wake zone.

Despite the negative assessment of sufficient hazards to boater safety at the campground, Rockingham County requested on its application that the Wildlife Resources Commission also consider the proposed no-wake zone within 50 yards of the shoreline at the campground.

Staff requests that the Commission approve publishing Notice of Text in the *NC Register* for adoption of one amendment to 15A NCAC 10F .0316, with an open comment period of at least 60 days and one public hearing, per the Administrative Procedure Act for a no-wake zone shore to shore, east of a line beginning at a line from a point on the north shore at 36.27962 N, 80.03507 W to a point on the south shore at 36.27804 N, 80.03565 W, that is west of the public docks at Humphrey's Ridge Marina and Grill. Upon the close of the open comment period, the WRC will then consider adoption of the amendment for the no-wake zone at Humphrey's Ridge Marina and Grill.

1 **15A NCAC 10F .0316 FORSYTH, ROCKINGHAM AND STOKES COUNTIES**

2 (a) ~~Regulated Area.~~ Areas. This Rule shall apply to the following waters in Belews Lake in Forsyth, Rockingham
3 Rockingham, and Stokes Counties.

4 (1) Belews Lake within 50 yards of any public boat launching ramp on the lake, and within 50 yards of
5 any bridge crossing on the lake;

6 (2) Belews Lake at Humphrey's Ridge Marina and Grill at 473-499 Humphrey Ridge Drive in
7 Stokesdale, east of a line from a point on the north shore at 36.27962 N, 80.03507 W to a point on
8 the south shore at 36.27804 N, 80.03565 W; and

9 (b) ~~Speed Limit. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat~~
10 ~~launching ramp on the waters of Belews Lake in any of the counties listed in (a) of this Rule, or within 50 yards of~~
11 ~~any bridge crossing any portion of Belews Lake in Forsyth County.~~ any of the regulated areas identified in Paragraph
12 (a) of this Rule.

13 (c) ~~Placement and Maintenance of Markers. The Boards of Commissioners of Forsyth County, Rockingham County~~
14 ~~and Stokes County, or their designees shall be the designated agencies for placement and maintenance of markers~~
15 ~~implementing this Rule. All markers warning of a no-wake speed zone must be buoys or floating signs.~~

16
17 *History Note: Authority G.S. 75A-3; 75A-15;*
18 *Eff. February 1, 1976;*
19 *Amended Eff. May 1, 1976;*
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
21 *6, 2016;*
22 *Amended Eff. October 1, 2018.*



North Carolina Wildlife Resources Commission
 Application for Water Safety Rulemaking on Navigable Waters of the State of North Carolina

*Water safety rulemaking applications are considered at **August** and **December** NCWRC meetings.
 Please submit information at least six (6) weeks in advance.*

1. Governmental Unit: Rockingham County Date: July 18th, 2022
 Contact Name: Lance L. Metzler
 Mailing Address: [REDACTED] Phone: [REDACTED]
 Email: [REDACTED]

2. In accordance with G.S. 75A-15, the above-named subdivision of the State applies to the North Carolina Wildlife Resources Commission for water safety rulemaking in the following waters:
 Name of Body of Water, County, Location: Belews Lake, Rockingham County, North Carolina

Popular Name (if any): Humphrey's Ridge and Campground, 241 Humphrey's Ridge Drive, Stokesdale

Describe Proposed Regulated Area – No-Wake Zone, Swim Area, Other:

Obstructed views of recreationists swimming while boats enter and leave the marina and campground at high speeds during very busy times. There is a grill at the marina that serves food. This creates congestion as boats come to the marina.

3. Safety hazard prompting rulemaking request (No Wake Zones, marked swim areas, and mooring areas shall be approved to mitigate hazards to boater and recreational water safety):
 The NC Wildlife Resources Commission is charged with promulgating water safety rules. By statute, No Wake Zones may be established in public trust waters **only** to mitigate hazards to boating safety. The statutory authority of the WRC **does not** allow creation of a no wake zone in some instances. Some of those instances include:

- Erosion
- Noise Abatement
- Property Damage
- Protection of Docks or Piers
- Future Development
- Wildlife Area Protection
- Wake issues for a particular type of vessel

Is the purpose of the requested NO WAKE ZONE for an area that falls into one of the instances listed above?

YES NO

If YES, please know that the NCWRC by statute may not be able to approve the requested NWZ

Does the proposed NO WAKE ZONE have any of the following water safety hazards?

- Known navigational hazards
- Structures in the area such as dams, spillways, flood control structures, trestles, power lines, and fueling docks
- Narrow and shallow waters
- Areas of obstructed vision
- Designated recreational or swimming areas
- Congested areas with high traffic
- History of documented accidents
- Public boat access areas
- Areas due to other circumstances present a critical risk to public safety

Does the requested NO WAKE ZONE include any of the above?

YES NO

If yes, please explain which one(s) in detail:

██████████, Marina and Family Campground owner, states that there is high volume of boats using the marina and the piers at the campground. Also, there are residential piers used by tenants at the campground, directly beside the other piers that receive high volume of boat traffic. These boats cause danger of injury to the swimmers. Campers also rent the piers to park their boats and swim. The fear is that the high traffic and excess speed of boats will cause boaters to not see recreationists in the water. She requests consideration of no-wake zones around the family campground and at the marina area that is west of the boat ramp. Currently the boat ramp is the only area marked.

Due to the amount of boat traffic in and out of the three-ramp boat launching area, along with traffic from The Grill at Humphrey's Ridge, a larger, more inclusive no wake zone than proposed is necessary on the marina side. The entire cove on the marina side from 100 yards beyond the last public dock, extending toward the channel should be designated as a no wake zone.

There should not be a designated no wake zone on the campground side at this time. The cove extending toward the causeway on Oak Level Church Road does not have high levels of boat traffic. Most of the boats using the campground docks, are residents of the campground. Vessel speed concerns in and out of this area should be conveyed by the owners of the campground to their customers without the implementation of a designated no wake zone.

The cove that surrounds Humphrey's Ridge Marina and Grill is about 160 yards wide. By NCAC 10F-.0316, the three boat ramps at Humphrey's Ridge are no-wake zones within 50 yards. The area outside of that 50 yard no wake zone becomes congested with boats waiting in line to be retrieved. On the weekends, it is not uncommon to see 5 to 10 boats waiting outside of the 50-yard statutory no-wake zone for their chance to be taken off the water.

The long cove east of the boat ramps is obstructed by partially submerged trees and should not be navigated at speed. The smaller cove which contains privately leased docks, operated by Humphreys Ridge Marina, is shallow and sometimes not navigable when the water level drops. There is not enough navigable water on the eastern side of the proposed no wake zone to justify safe boat operation at speeds greater than no-wake speed.

The Middleton's, with Humphrey's Ridge, have agreed to purchase the five buoys with the assistance of WRC for appropriate placement and installation.

4. Include the following information with your application:

- a. Statement that public notice was given of the intention to make application to the Wildlife Resources Commission for the Rule that is being proposed
- b. A resolution from the above-named governmental unit requesting rulemaking for the waters named in Item 2
- c. Affirmation that the local unit of government *or* a designee agrees to purchase and place markers that conform to U.S. Aids to Navigation (USATONS) standards to implement a Rule. The North Carolina Wildlife Resources Commission is required to submit a Fiscal Note to the Office of State Budget and Management to report the fiscal impact of a Rule on a state or local unit of government.

Regulatory markers that do not conform to USATONS standards and that are placed without authorization by the NC Wildlife Resources Commission shall be unlawful.

Mail or Email completed application and supporting documents to:

- **No Wake Zone Coordinator**

NC Wildlife Resources Commission
[Redacted]

- [Redacted]

Signature

[Redacted Signature]

Date

07/19/2022

**NORTH CAROLINA
ROCKINGHAM COUNTY**

**RESOLUTION REQUESTING ESTABLISHMENT OF
A NO WAKE ZONE FOR BELEW'S LAKE AT THE
THE HUMPHREY'S RIDGE MARINA & CAMPGROUND**

WHEREAS, the County has been contacted by [REDACTED], with Humphrey's Ridge Marina & Campground located at 241 Humphrey's Ridge Drive, Stokesdale, N.C. requesting the County's assistance in creating a N.C. Wildlife Resources Commission "No Wake Zone" for this particular section of Belew's Lake; and

WHEREAS, the County seeks to establish a No Wake Zone for Belew's Lake for the purpose of mitigating hazards to water safety; and

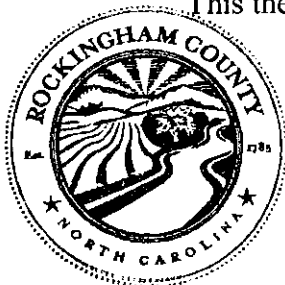
WHEREAS, the N.C. Wildlife Resources Commission is the agency responsible for establishing official No Wake Zones; and

WHEREAS, the County has advertised a formal public hearing in the RockinghamNow on July 6, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the Rockingham County Board of Commissioners hereby requests that a No Wake Zone be established for a high-volume traffic area on Belew's Lake adjacent to Humphrey's Ridge Marina & Campground.

Be it further resolved, that, if approved the Middleton's agree to purchase buoys that will delineate the No Wake Zone and the NC Wildlife Resource Commission Law Enforcement will assist in placement of these buoys. Further they and any adjacent residents will be responsible for any maintenance of the above noted items and will also be responsible for any required environmental permitting and associated fees.

This the 18th day of July, 2022.



ATTEST:

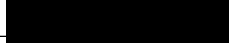
[REDACTED]
Susan O. Washburn
Clerk to the Board

[REDACTED]
Kevin Berger, Chairman
Rockingham County Board of Commissioners



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: _____
- Primary contact information: _____ 
- Location of requested no-wake zone:
 - Body of water and County: _____
 - Location: _____
 - Popular name of area, if any: _____
 - Width of No-Wake Zone: Narrowest Point: _____ Widest Point: _____
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?

YES

NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) _____

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) _____



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: _____
Height above water: _____
Width between piers: _____

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

▪ Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: _____

VERIFIED COMPLAINTS List: _____

=====

- Rate traffic density in this area
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: _____
 NO
- Total distance travelled at no-wake speed (in feet): _____
- Estimated travel time through propose area at no-wake speed: _____
- Width of proposed no-wake zone (in feet): Narrowest: _____ Widest: _____
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

Officer: _____

Date: _____

Sergeant: _____

Date: _____

15A NCAC 10F .0316 (a) (2) - No Wake Zone Request
Humphrey's Ridge Marina and Grill, Stokesdale, Belews Lake, Rockingham County



EXHIBIT N

December 8, 2022



15A NCAC 10F.0333 LAKE WYLIE MARINE COMMISSION APPLICATION FOR RULEMAKING – NO WAKE ZONE IN WITHERS COVE AT THE CHARLOTTE MECKLENBURG PD/FIRE DEPARTMENT BOATHOUSE

The Wildlife Resources Commission received a formal application from the Lake Wylie Marine Commission on behalf of Charlotte Mecklenburg Fire and Police Department, to establish and codify into the North Carolina Administrative Code (NCAC) a no-wake zone shore to shore in the waters of Withers Cove at the location of the Charlotte Mecklenburg Police Department/Fire Department Boathouse.

Agency Enforcement completed a boater safety assessment matrix for waters of Withers Cove shore to shore, beginning at a line north of the boathouse, eastward and ending at a point 50 feet east of the Route 1116 bridge. (**Attachment A Matrix and Map**). Enforcement noted multiple boating safety hazards and hazards to fire and law enforcement activities caused by vessels that travel in the waters at greater than no-wake speed. The waters surrounding the boathouse are a diving training facility with diving apparatus. Routine training goes on monthly in the cove. The Fire Department has large dock, and there are police and fire boats inside the building that launch from the area. There is a fuel pump located on the left side of the building. First responders on the lake use the facilities and docks to transport accident victims and drowning victims off the lake.

The Lake Wylie Marine Commission by statute is responsible for the purchase, placement, and maintenance of all markers associated with the Rule at no expense to the State or local government. No Fiscal Note is required.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0333, with an open comment period of at least 60 days and one public hearing, per the requirements of the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the amendment to the Rule for Lake Wylie at Withers Cove.

15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule shall apply to the following waters of Lake Wylie in Mecklenburg and Gaston Counties:

- (1) McDowell Park. The waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County shore to shore, east of the mouth of the cove at a line from a point on the south shore at 35.10272 N, 81.03026 W to a point on the north shore at 35.10556 N, 80.02964 W;
- (2) Gaston County Wildlife Club Cove. The waters of the cove west of the Gaston County Wildlife Club on South Point Road in Belmont, north of a line at the mouth of the cove from a point on the east shore at 35.15628 N, 81.01427 W to a point on the west shore at 35.15628 N, 81.01615 W;
- (3) Buster Boyd Bridge. The waters from a point 250 feet east of the Buster Boyd Bridge on N.C. Highway 49 in Mecklenburg County at 35.10293 N, 81.03932 W, to a point 150 feet west of the Buster Boyd Bridge at 35.10242 N, 81.04089 W;
- (4) N.C. Highway 27 bridge. The waters shore to shore, from a point 50 yards north of the N.C. Highway 27 bridge in Mecklenburg and Gaston counties at 35.29849 N, 81.00346 W to a point 190 yards south of the N.C. Highway 27 bridge at 35.29635 N, 81.00424 W;
- (5) Brown's Cove. The area beginning at the mouth of Brown's Cove in Mecklenburg County shore to shore, at a point at 35.16453 N, 81.00474 W, west to a point at 35.16480 N, 81.00309 W;
- (6) Paradise Point Cove. The waters of Paradise Point Cove in Gaston County between Paradise Circle and Lake Front Drive, west of a line from a point on the south shore at 35.18853 N, 81.04036 W to a point on the north shore at 35.18991 N, 81.04136 W;
- (7) ~~Withers Cove. The waters from a point 50 feet southeast of the Withers Bridge on SR 1116, otherwise known as Shopton Road W. in Mecklenburg County at 35.14576 N, 81.00187 W, to a point 50 feet northwest of the bridge at 35.14599 N, 81.00222 W; The waters of Withers Cove in Mecklenburg County, shore to shore, beginning at a line north of the Mecklenburg Charlotte Fire Department and Police Department Boathouse from a point on the west shore at 35.14632 N, 81.00383 W to a point on the east shore at 35.14713 N, 81.00173 W, and ending at a point 50 feet southeast of the Withers Bridge on SR 1116, otherwise known as Shopton Road, at 35.14576 N, 81.00187 W;~~
- (8) Sadler Island. The waters shore to shore beginning at a line from a point on the west shore of Lake Wylie in Gaston County at 35.27481 N, 81.0138 W east to a point on the east shore of the Lake in Mecklenburg County at 35.27423 N, 81.01111 W, extending south on the Lake west of Sadler Island to a line from a point on the west shore of the Lake in Gaston County at 35.27079 N, 81.01525 W, east to a point on the west side of Sadler Island in Mecklenburg County at 35.27051 N, 81.01396 W, and the waters shore to shore east of Sadler Island in Mecklenburg County from a point at 35.27441 N, 81.01185 W, south-southwest to a line from a point on the south shore of Sadler Island at 35.26635 N, 81.01432 W, south to a point on the Lake shore at 35.26494 N, 81.01368 W;

- (9) Other bridges. The areas within 50 feet of any bridge in North Carolina that crosses the waters of Lake Wylie that is not otherwise specifically mentioned in this Paragraph; and
- (10) Yachtsman on Lake Wylie Community. The waters within 50 yards of the community piers near the terminus of Waterside Drive in Mecklenburg County, and northward to include the waters east of the island that is west of Point Lookout Road, ending at a line from a point on the northern end of the island at 35.12226 N, 81.03306 W, east to a point on the shore at 35.12253 N, 81.03190 W; and
- (11) Brown's Cove. The waters of Brown's Cove beginning at a line from a point on the east shore at 35.16892 N, 80.99702 W to a point on the west shore at 35.16948 N, 80.99783 W, northeast to a line from a point on the south shore at 35.16913 N, 80.99556 W to a point on the north shore at 35.17043 N, 80.99684 W.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat-launching ramp, dock, pier, marina, boat storage structure, or boat service area.

(c) Speed Limit Near Marked Swimming or Mooring Areas. No person shall operate a vessel at greater than no-wake speed within 50 yards of any marked mooring area or marked swimming area.

(d) Placement and Maintenance of Markers. The Lake Wylie Marine Commission shall be the designated agency for placement and maintenance of markers implementing this Rule.

History Note: Authority G.S. 75A-3; 75A-15;

Eff. July 1, 1980;

Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March 1, 1983;

Temporary Amendment Eff. January 1, 1998;

Amended Eff. July 1, 1998;

Temporary Amendment Eff. February 4, 2000;

Amended Eff. April 1, 2009; June 1, 2004; July 1, 2000;

Temporary Amendment Eff. May 1, 2015;

Amended Eff. October 1, 2015;

Readopted Eff. October 1, 2018;

Amended Eff. June 1, 2022; May 1, 2019.



North Carolina Wildlife Resources Commission
Application for Water Safety Rulemaking on Navigable Waters of the State of North Carolina

*Water safety rulemaking applications are considered at August and December NCWRC meetings.
 Please submit information at least six (6) weeks in advance.*

1. Governmental Unit: Lake Wylie Marine Commission Date: Nov 29, 2022
 Contact Name: Neil M. Brennan
 Mailing Address: [REDACTED] Phone: [REDACTED]
[REDACTED] Email: [REDACTED]

2. In accordance with G.S. 75A-15, the above-named subdivision of the State applies to the North Carolina Wildlife Resources Commission for water safety rulemaking in the following waters:

Name of Body of Water, County, Location: Lake Wylie, Mecklenburg, at the Charlotte Mecklenburg PD/Fire Dept Boathouse
 Popular Name (if any): Withers Cove

Describe Proposed Regulated Area – No-Wake Zone, Swim Area, Other:

No-Wake Zone 50 yards northwest of the Charlotte Mecklenburg PD/Fire Department boat house and extending across the cove to a point on the opposite shore as shown on the attached annotated map. The requested NWZ expands the existing NWZ at the Shopton Ford W bridge on the west side of the bridge.

Note: This NWZ has been in place unofficially. The Lake Wylie marine Commission had worked with CMPD to certify this NWZ in the NCAC. CMPD POC is Charlotte Mecklenburg PD Officer Stanley [REDACTED]

3. Safety hazard prompting rulemaking request (No Wake Zones, marked swim areas, and mooring areas shall be approved to mitigate hazards to boater and recreational water safety):

The NC Wildlife Resources Commission is charged with promulgating water safety rules. By statute, No Wake Zones may be established in public trust waters **only** to mitigate hazards to boating safety. The statutory authority of the WRC **does not** allow creation of a no wake zone in some instances. Some of those instances include:

- Erosion
- Noise Abatement
- Property Damage
- Protection of Docks or Piers
- Future Development
- Wildlife Area Protection
- Wake issues for a particular type of vessel

Is the purpose of the requested NO WAKE ZONE for an area that falls into one of the instances listed above?

YES NO

If YES, please know that the NCWRC by statute may not be able to approve the requested NWZ

Does the proposed NO WAKE ZONE have any of the following water safety hazards?

- Known navigational hazards
- Structures in the area such as dams, spillways, flood control structures, trestles, power lines, and fueling docks
- Narrow and shallow waters
- Areas of obstructed vision
- Designated recreational or swimming areas
- Congested areas with high traffic
- History of documented accidents
- Public boat access areas
- Areas due to other circumstances present a critical risk to public safety

Does the requested NO WAKE ZONE include any of the above?

YES NO

If yes, please explain which one(s) in detail:

AREAS DUE TO OTHER CIRCUMSTANCES: The Charlotte-Mecklenburg police and firemen conduct training in the area just to the north and west of their boathouse. They transfer water accident victims to their docks and refuel their boats in the boathouse. Requiring idle speed in the expanded NWZ will provide enhanced safety for these government officials as they carry out their duties.

4. Include the following information with your application:

- a. Statement that public notice was given of the intention to make application to the Wildlife Resources Commission for the Rule that is being proposed
- b. A resolution from the above-named governmental unit requesting rulemaking for the waters named in Item 2
- c. Affirmation that the local unit of government *or* a designee agrees to purchase and place markers that conform to U.S. Aids to Navigation (USATONS) standards to implement a Rule. The North Carolina Wildlife Resources Commission is required to submit a Fiscal Note to the Office of State Budget and Management to report the fiscal impact of a Rule on a state or local unit of government.

Regulatory markers that do not conform to USATONS standards and that are placed without authorization by the NC Wildlife Resources Commission shall be unlawful.

Mail or Email completed application and supporting documents to:

- **No Wake Zone Coordinator**
NC Wildlife Resources Commission

[Redacted]

- nowakezonecoordinator@ncwildlife.org

[Redacted]

Public notice of the intent to apply for this NWZ was given at the November 28, 2022 public meeting of the Lake Wylie Marine Commission (LWMC).

At that meeting, the LWMC voted to apply for this NWZ and will ensure the appropriate markers are purchased and placed.

Signature

Date

NOV 29, 2022



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: Lake Wylie Marine Commission
- Primary contact information: _____
- Location of requested no-wake zone:
 - Body of water and County: Lake Wylie Withers Cove, Mecklenburg County
 - Location: Charlotte Mecklenburg PD/Fire Dept Boathouse on Shopton Road West, west of Route 1116 bridge

 - Popular name of area, if any: Withers Cove
 - Width of No-Wake Zone: Narrowest Point: _____ Widest Point: _____
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)

Charlotte Mecklenburg Police Dept/Fire Department Boathouse and waters surrounding it are a training facility with diving apparatus where routine training is held monthly, as well as location where lake accident victims and drowning victims are transported off the lake. The area currently is marked as a no-wake area unofficially. LWMC is interested in having area codified in NCAC for safety and enforcement.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

The Charlotte Mecklenburg Police Dept./Fire House Boathouse is southwest of the Shopton Rd W bridge in Withers Cove. Routine training is conducted in the waters there, shore to shore monthly. Diving apparatus is on the lake bottom for training. Additionally, the boathouse and surrounding waters are the location where law enforcement and first responders bring accident victims and drowning victims for transport off the lake. Law Enforcement is interested in keeping the no-wake zone marked as shown on the attached map shore to shore, beginning at a line from a point approximately 50 yards north-northwest of the Mecklenburg Charlotte Fire Dept. and Police Department facility eastward, and extending to 50 feet east of the Route 1116 bridge. Enforcement, please provide coordinates for the southwest and northeast points for the line where the no-wake buoys are placed.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?

YES

NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: Charlotte Fire Department

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) _____

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) _____



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: Shopton Rd W
Height above water: 8ft
Width between piers: 40ft

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

- Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: _____

VERIFIED COMPLAINTS List: _____

=====

- Rate traffic density in this area LIGHT
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
None
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: 500ft
 NO
- Total distance travelled at no-wake speed (in feet): 500ft
- Estimated travel time through propose area at no-wake speed: Two Minutes
- Width of proposed no-wake zone (in feet): Narrowest: 150ft Widest: 735ft
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:
See Attachment A.

Officer: Sampson R. Parker Jr

Date: 11/11/2022

Sergeant: _____

Date: _____



◇ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ◇

Cameron Ingram, Executive Director

ATTACHMENT A

The Lake Wylie Marine Commission has requested the review of a No Wake zone near Withers Cove of Lake Wylie. Withers cove is located near 11930 Shopton Rd W Charlotte NC. The proposed area in Withers cove goes from before the Charlotte Fire Department fuel dock to the other side of the Shopton Rd Bridge. This No Wake Zone has been proposed by the Lake Wylie Marine Commission because of the fire department dock and the dive training that goes on around the dock. The Lake Wylie Marine Commission says this is an area that the fire department uses to train and is unsafe for boaters to go through the area faster than no wake speed.

On 11/11/2022 I patrolled the area to complete a boating safety assessment. Visually, this is a very wide cove that narrows down under the bridge and then opens back up. The narrowest area in the proposed no wake zone is 150' across. The widest point is approximately 735'. The proposed area is approximately 500' in length. A vessel travelling at no wake speed will take approximately two minutes to travel through the proposed No Wake Zone. The proposed No Wake Zone is an extension of the existing wake zone 400' to the west and north of the bridge. There are currently no public swimming areas, fishing areas, or boating accesses within the cove. The cove is comprised of private docks. The Charlotte Fire Department is located on the south west side of the no wake zone. The Fire Department has a large dock that holds police and fire boats inside. The dock has a fuel pump located on the left side of the building.

The reason that I am recommending this to be a no wake zone is the fact that the dock has a fuel pump located on it. If boaters were allowed to create a wake in the area it could cause a major issue if someone was using the fuel pump. The safety hazards include fuel spills and possible fires. The dangers that are listed by the Lake Wylie Marine Commission were found to be true. This area has no recorded boat incidents reported. The existing no wake zone underneath the bridge has produced no wake zone infractions. My conclusion is that the fact that there is a fuel dock is enough to warrant a No Wake Zone. This conclusion comes after patrolling the area and completing a full review of the proposed No Wake Zone.

██████████
██████████
██████████

Master Officer S.R. Parker Jr ██████████

Mailing Address: N.C. Wildlife Resources Commission • 1701 Mail Service Center • Raleigh, North Carolina 27699-1701

Telephone: 919-707-0010 • ncwildlife.org

View going out of the proposed no wake Zone. The building in the left of the picture is the Charlotte Fire Department dock. The fuel dispenser is located on the left side of the building.



Aerial photograph showing the no wake zone area.



15A NCAC 10F .0333 (a) (7) - No Wake Zone Extension Request
Withers Cove, Lake Wylie, Mecklenburg County



EXHIBIT O

December 8, 2022



15A NCAC 10F .0379 – CITY OF ROXBORO APPLICATION FOR RULEMAKING FROM CITY OF ROXBORO FOR PROPOSED PERMANENT RULE ON LAKE ROXBORO

The Wildlife Resources Commission received a formal application from the City of Roxboro, requesting consideration of rulemaking to codify into the North Carolina Administrative Code a no-wake zone on Lake Roxboro, a drinking water supply lake near Frogsboro in Person and Caswell counties. There is an area of the lake in the main channel that has been informally marked by the City of Roxboro since 2000. The City requests rulemaking to make the no-wake zone legal and enforceable.

Agency Enforcement has investigated the area and returned the Assessment Matrix (**Attachment A and Map**). Hazards to boater safety and navigation were noted, including a narrow channel with several curves and blind spots in the open part of the lake. Enforcement stated that a no-wake zone shore to shore in this area will mitigate boater safety hazards in that area.

The City of Roxboro placed markers on the lake years ago and maintains them under a Town Ordinance. No Fiscal Note is required.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of a Rule, 15A NCAC 10F .0379, with an open comment period of at least 60 days and one public hearing, per the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the Rule for a no-wake zone on Lake Roxboro.

15A NCAC 10F .0379 CITY OF ROXBORO

(a) Regulated Area. This rule applies to the waters of Lake Roxboro, located near Froggsboro in Person and Caswell counties, in the channel between a line shore to shore from 36.32069 N, 79.15373 W, and a line shore to shore at 36.31651 N, 79.15165 W.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated area described in Paragraph (a) of this Rule.

(c) Placement of Markers. The City of Roxboro is the designated agency for placement and maintenance of the markers implementing this Rule.

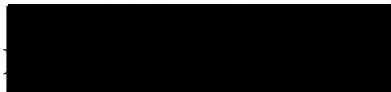
History Note: Authority G.S. 75A-3; 75A-15;



City of Roxboro

November 23, 2022

No Wake Zone Coordinator
NC Wildlife Resources Commission



To Whom It May Concern,

The City of Roxboro has placed buoys in an area to establish a No-Wake Zone and formally requests that the North Carolina Wildlife Resources Commission undertake rulemaking for an official No-Wake Zone on Lake Roxboro. This lake is located in Person and Caswell Counties and near Frogsboro, North Carolina, (coordinates include 36.32069N, 79.15373W, and 36.31651N, 79.15165W). Lake Roxboro is the property of the City of Roxboro and is classified as a Class II drinking water supply. Since buoys are already in place on the lake, the City will not incur any further expenses.

Sincerely,



Brooks Lockhart
City Manager
City of Roxboro





North Carolina Wildlife Resources Commission
 Application for Water Safety Rulemaking on Navigable Waters of the State of North Carolina

*Water safety rulemaking applications are considered at August and December NCWRC meetings.
 Please submit information at least six (6) weeks in advance.*

1. Governmental Unit: City of Roxboro Date: November 21, 2022
 Contact Name: John Williford
 Mailing Address: [REDACTED] Phone: [REDACTED]
[REDACTED] Email: [REDACTED]

2. In accordance with G.S. 75A-15, the above-named subdivision of the State applies to the North Carolina Wildlife Resources Commission for water safety rulemaking in the following waters:

Name of Body of Water, County, Location: Lake Roxboro

Popular Name (if any): _____

Describe Proposed Regulated Area – No-Wake Zone, Swim Area, Other:

No-Wake Zone 1 is a stretch in the main channel of Lake Roxboro on South Hyco Creek that is on the south end of the lake in Caswell County, NC

3. Safety hazard prompting rulemaking request (No Wake Zones, marked swim areas, and mooring areas shall be approved to mitigate hazards to boater and recreational water safety):

The NC Wildlife Resources Commission is charged with promulgating water safety rules. By statute, No Wake Zones may be established in public trust waters **only** to mitigate hazards to boating safety. The statutory authority of the WRC **does not** allow creation of a no wake zone in some instances. Some of those instances include:

- Erosion
- Noise Abatement
- Property Damage
- Protection of Docks or Piers
- Future Development
- Wildlife Area Protection
- Wake issues for a particular type of vessel

Is the purpose of the requested NO WAKE ZONE for an area that falls into one of the instances listed above?

YES NO

If YES, please know that the NCWRC by statute may not be able to approve the requested NWZ

Does the proposed NO WAKE ZONE have any of the following water safety hazards?

- Known navigational hazards
- Structures in the area such as dams, spillways, flood control structures, trestles, power lines, and fueling docks
- Narrow and shallow waters
- Areas of obstructed vision
- Designated recreational or swimming areas
- Congested areas with high traffic
- History of documented accidents
- Public boat access areas
- Areas due to other circumstances present a critical risk to public safety

Does the requested NO WAKE ZONE include any of the above?

YES NO

If yes, please explain which one(s) in detail:

Narrowing and shallow waters, areas of obstructed vision, designated recreational and swimming areas, congested areas with high traffic, history of documented accidents, areas due to other circumstances present a critical risk to public safety.

4. Include the following information with your application:

- a. Statement that public notice was given of the intention to make application to the Wildlife Resources Commission for the Rule that is being proposed
- b. A resolution from the above-named governmental unit requesting rulemaking for the waters named in Item 2
- c. Affirmation that the local unit of government *or* a designee agrees to purchase and place markers that conform to U.S. Aids to Navigation (USATONS) standards to implement a Rule. The North Carolina Wildlife Resources Commission is required to submit a Fiscal Note to the Office of State Budget and Management to report the fiscal impact of a Rule on a state or local unit of government.

Regulatory markers that do not conform to USATONS standards and that are placed without authorization by the NC Wildlife Resources Commission shall be unlawful.

Mail or Email completed application and supporting documents to:

- **No Wake Zone Coordinator**
NC Wildlife Resources Commission

[Redacted]

- [Redacted]

Signature _____

[Redacted Signature]

Date _____

11/22/2022


15A NCAC 10F .0379 No-Wake Zone Request
City of Roxboro, Lake Roxboro, Caswell & Person Counties


Lake Roxboro

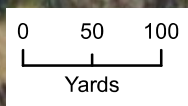
36.32069 N
79.15373 W

CASWELL
PERSON

36.31651 N
79.15165 W

 Requested No-Wake Zone

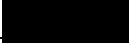
 County Boundary





NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: City of Roxboro
- Primary contact information: _____ 
- Location of requested no-wake zone:
 - Body of water and County: Lake Roxboro, City of Roxboro; located in Person and Caswell counties _____
 - Location: about 9 miles SW of Roxboro, south of Roxboro Lake Road near Froggsboro _____
 - Popular name of area, if any: Lake Roxboro
 - Width of No-Wake Zone: Narrowest Point: 217' Widest Point: 427'
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)

This lake contains a narrow channel with several curves and blind spots in the open part of the lake. The lake channel has been marked as a NWZ since 2000. The City of Roxboro believed that under their City Ordinance they had authority to mark no-wake zones and now are seeking assistance to legalize this area, if the WRC finds substantial hazards. The City also is seeking to revise its ordinance to provide authority to mark boating safety hazards on the lakes.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

John Williford, Lake Warden, reports that the narrow channel in part of the lake remains busy with anglers and swimmers. Speeding boats traveling around two blind curves have nearly collided with non-motorized vessels and swimmers. Please evaluate channel shore to shore, between 36.32069 N, 79.15373 W and 36.31651 N, 79.15165 W. Mr. Williford states that the lake has hazard buoys around the spillway, water intake tower and around a large sandbar and rock pile that are barely submerged. He requests being allowed to maintain the hazard buoys there. I do not know if he is requesting rulemaking to place a Safety Zone there at the spillway. If so vessel access would be denied. Please advise if a Restricted Area where vessels are allowed but activities restricted might be a designation or if a designation is not recommended.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?

YES

NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

The area described is a narrow channel with multiple curves where visibility is restricted.

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) _____

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) 217'

SHALLOW WATER (give average depth) _____



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) _____

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: _____
Height above water: _____
Width between piers: _____

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

▪ Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL _____

OTHER (list and describe)



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): I have never investigated a boating incident on this lake.

CITATIONS ISSUED Violations: I have issued common boating violations on this lake.

VERIFIED COMPLAINTS List: _____

=====

- Rate traffic density in this area MEDIUM
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
Local laws restrict vessel speed on the lake to 25 MPH.
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: If the 25 MPH were enforced by city officers then there would be more reaction time for operators.
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant's proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: It would extend across the whole channel from shoreline to shoreline
 NO
- Total distance travelled at no-wake speed (in feet): 2,220'
- Estimated travel time through propose area at no-wake speed: 5 min
- Width of proposed no-wake zone (in feet): Narrowest: 217' Widest: 423'
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

The narrow channel identified above would benefit to have a "no wake" zone there. If approved, the safety of the public would benefit from it. The no wake zone would also need to run shoreline to shoreline through this section of the lake due to the curves in the lake that present a visual hazard to boat operators.

In reference to the dam and spillway area on Lake Roxboro there area already danger buoys located at these locations and I dont believe there is a need for any further investigation into that area.

Officer: T.V. Godwin

Date: 09/20/2022

Sergeant: B.C. Smith

Date: 09/20/2022

EXHIBIT P-1

December 8, 2022



15A NCAC 10F .0355 – PERQUIMANS COUNTY, TOWN OF HERTFORD APPLICATION FOR RULEMAKING THE TOWN OF HERTFORD FOR PROPOSED AMENDMENT

The Wildlife Resources Commission received a formal application and Resolution from the Town of Hertford in Perquimans County, requesting consideration of rulemaking to extend the no-wake zone in a portion of the Perquimans River that currently ends 75 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S-shaped Bridge. The proposed amendment will extend the no-wake zone to a point 190 yards northeast of the bridge then eastward and southeast, to a point on the Town shoreline.

Agency Enforcement has investigated the area and returned the Assessment Matrix (**Attachment A and Map**). Several hazards to boater safety, maneuverability, and navigation were noted in the area northeast of the bridge and along the shoreline. Construction of the new S-shaped Bridge and movement of the navigation span to the southeast has brought the navigation channel closer to large shoals that extend approximately 450 feet into the river from the shoreline. Extending the no-wake zone to include the navigation channel and shoreline will deter vessels from travelling on plane and will reduce the likelihood of groundings and other boating incidents.

The Town of Hertford has agreed to purchase and place the buoys to mark the extended no-wake zone. A Fiscal Note was prepared for the Office of State Budget and Management, which reviews rulemaking that creates fiscal impacts upon local and state units of government. (**EXHIBIT P-2**)

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0355, with an open comment period of at least 60 days and one public hearing, per the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the amendment to extend the no-wake zone to the northeast of the S-shaped Bridge and along a portion of the town's shoreline.

15A NCAC 10F .0355 PERQUIMANS COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters:

- (1) Perquimans River:
 - (A) the canals of Holiday Island subdivision at Albemarle Sound; and
 - (B) ~~Town of Hertford: the part of the Perquimans River beginning 75 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S shaped Bridge, parallel to the bridge, shore to shore, and ending approximately 550 yards southwest, at a line from a point on the north shore 36.19305 N, 76.46957 W to a point on the south shore at 36.19150 N, 76.47099 W.~~ Town of Hertford: 550 yards southwest of the Perquimans River Bridge on U.S. Highway 17 Business, otherwise known as the Hertford S - Bridge, at a line from a point on the north shore at 36.19305 N, 76.46957 W to a point on the south shore at 36.19150 N, 76.47099 W, and 190 yards northeast of the bridge at a line from a point in the Perquimans River at 36.19530 N, 76.46518 W, eastward to Day Marker #11, then southeast to a point on the shore at 36.19337 N, 76.46367 W.
- (2) Yeopim River:
 - (A) the canal between Navaho Trail and Cherokee Trail beginning at a point at 36.07893 N, 76.42278 W;
 - (B) the canal between Cherokee Trail and Ashe Street beginning at a point at 36.07865 N, 76.42603 W;
 - (C) within 50 yards of the boat ramp at Ashe and Pine Street;
 - (D) the canal between Pine Street and Linden Street beginning at a point at 36.07951 N, 76.43402 W;
 - (E) the canal between Willow Street and Evergreen Drive beginning at a point at 36.08005 N, 76.43735 W;
 - (F) the canal between Sago Street and Alder Street beginning at a point at 36.07986 N, 76.44063 W; and
 - (G) Bethel Creek north of a line from a point on the west shore at 36.09566 N, 76.47928 W to a point on the east shore at 36.09534 N, 76.47738 W to a line from a point on the west shore at 36.10532 N, 76.48080 W to a point on the east shore at 36.10516 N, 76.48047 W.
- (3) Yeopim Creek:
 - (A) the canal between Mohave Trail and Iowa Trail beginning at a point at 36.08521 N, 76.41802 W;
 - (B) the canal between Iowa Trail and Shawnee Trail beginning at a point at 36.08511 N, 76.41763 W;
 - (C) the area within 75 yards of the Albemarle Plantation Marina Piers;
 - (D) the area of the cove known as Beaver Cove, shore to shore beginning at a point at 36.08767 N, 76.42151 W; and

- (E) the waters of Yeopim Creek adjacent to Heritage Shores North, shore to shore, east of a line from a point on the north shore at 36.11356 N, 76.43138 W to a point on the south shore at 36.11288 N, 76.43173 W, to a line northwest from a point on the east shore at 36.11219 N, 76.42445 W to a point on the west shore at 36.11178 N, 76.42596 W.
- (4) Little River: the entrance to the cove known as Muddy Gut Canal that extends from the waters known as Deep Creek, shore to shore beginning at a line from a point on the east shore at 36.17729 N, 76.28011 W to a point on the west shore at 36.17667 N, 76.28331 W.
- (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated area described in Paragraph (a) of this Rule.
- (c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the swimming area at the Snug Harbor Park and Beach on the Yeopim River.
- (d) Placement of Markers. The Board of Commissioners of Perquimans County shall be the designated for placement of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1988;
Amended Eff. October 1, 1992;
Temporary Amendment Eff. October 1, 1997;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000;
Amended Eff. January 1, 2015; September 1, 2013; May 1, 2006; June 1, 2005; July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. October 1, 2018; June 1, 2017.

RESOLUTION REQUESTING THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS TO APPLY TO THE NORTH CAROLINA WILDLIFE RESOURCE COMMISSION TO EXPAND THE PERQUIMANS RIVER NO-WAKE ZONE

Resolution No. 2022-11-14

WHEREAS under authority of North Carolina General Statute § 75A-15(b) any subdivision of the State of North Carolina may make formal application to the North Carolina Wildlife Resources Commission for rules pertaining to the safe and reasonable operation of vessels on waters within the subdivision's territorial limits; and


WHEREAS, under authority of 15A NCAC 10F.0355(d) the Board of Commissioners of Perquimans County shall be designated for placement of markers implementing this Rule; and

WHEREAS, the Perquimans River in and around the Town of Hertford is within the territorial limits of Perquimans County; and


WHEREAS, the Wildlife Enforcement Division of the Wildlife Resources Commission has completed an assessment of several hazards that exist in the Town of Hertford, near the S shaped bridge north and east of the current no-wake zone and determined that the flow of boat traffic in the area as the result of the new bridge is hazardous because of insufficient water depth and shoaling.

NOW THEREFORE, BE IT RESOLVED that the Hertford Town Council requests that the Perquimans County Board of Commissioners submit an application for rulemaking to the North Carolina Wildlife Resources Commission to expand the no-wake zone per the attached map as needed for boater safety as determined by the Wildlife Enforcement Division.

Adopted this 14th day of November 2022


Earnell Brown, Mayor

ATTEST:



Gina Durante, Town Clerk





NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 1: APPLICANT REQUEST AND INFORMATION

- Name of organization/entity: Perquimans Co Town of Hertford
- Primary contact information: _____ 
- Location of requested no-wake zone:
 - Body of water and County: Perquimans River, Perquimans County in Town of Hertford
 - Location: north and east of the S shaped bridge in the Town of Hertford (15A NCAC 10F.0356)
 - Popular name of area, if any: waters at north end of S-shaped Bridge, to the east, end
 - Width of No-Wake Zone: Narrowest Point: _____ Widest Point: _____
 - Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc.)
 Requesting extension of the existing no-wake zone northeast of the bridge to extend 500 yards east of existing NWZ that currently ends north of the bridge at USCG Shoal Marker Day Beacon 9 (green), then back to the shore along the Town waterfront as shown on the attached map.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact



NO-WAKE ZONE INVESTIGATION MATRIX

Provide detailed reason given from point of contact for the request

The Town and Lt Brad Stoop have spoken with Sara Winslow, who provided map information. She states that increasing speeding traffic in that area is causing safety to boaters in that busy area. Please identify any businesses there that may be impacted. I do not have Ms. Winslow's phone number. Her email is Sara Winslow

Perquimans is a coastal county subject to CAMA.

- Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e., Intracoastal Waterway?

YES

NO

When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 2: PUBLIC SAFETY HAZARD

Identify all public safety hazards in this section by checking the block and listing name and/or location

FUELING DOCK OR FACILITY

Name of Facility: _____

PUBLIC SWIMMING OR RECREATIONAL AREA

Would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate?

ROPED SWIM AREA

NO-WAKE BUOYS

PUBLIC BOAT ACCESS

Name of Access Area: _____

PUBLIC FISHING PIER OR FISHING ACCESS AREA

Name of Pier/Access Area: _____

RESTAURANT DOCKS

Name of Restaurant: _____

Number of Docks: _____

OTHER (list and describe)

Shallow water/shoaling on the south side of the channel heading down river-large sandbar that extends from Southern shoreline to approximately 450' into the river. Restricted visibility due to bridge pilings etc.

SECTION 3: NAVIGATIONAL HAZARDS

Identify all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) _____

Can obstructions be removed? YES NO

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) 1' or less 450' from shoreline



NO-WAKE ZONE INVESTIGATION MATRIX

OBSTRUCTED VISION (for approximately how great a distance) 450'

STRUCTURES: (Check all applicable)

DAM Name: _____

SPILLWAY Location: _____

FLOOD CONTROL STRUCTURE Location: _____

BRIDGE Roadway: Church Street
Height above water: 8'
Width between piers: 30'

TRESTLE Height above water: _____
Width between piers: _____

POWER LINE _____

LOCK Lock Number: _____

JETTY _____

SUBMERGED STRUCTURE Identify Structure: _____

▪ Would placement of "Danger" buoys or other informational markers mitigate the hazards in lieu of a no-wake zone? YES NO

SANDBAR _____

SHOAL Approx. 450' from Southern Shore

OTHER (list and describe)



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 4: SUMMARY OF BOATING SAFETY STATISTICS

Identify known data reflecting safety concerns:

BOAT INCIDENTS Date(s): _____

CITATIONS ISSUED Violations: NWZ violations

VERIFIED COMPLAINTS List: NWZ complaints

=====

- Rate traffic density in this area MEDIUM
- Is traffic density specific to weekend/and or holidays? YES NO
- Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?
YES NO

SECTION 5: CURRENT REGULATIONS

- List existing local laws currently in place restricting vessel speed in the requested area:
15A NCAC 10F .0355 Perquimans County No Wake Zones
- Would enforcement of existing boating laws mitigate the issues and concerns addressed in the proposed area?

YES Identify Violations: _____
 NO



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 6: NO-WAKE ZONE DIMENSIONS AND SCOPE

Evaluate the applicant’s proposed no-wake request based on criteria and complete Section 6. If investigated area does not meet criteria for a no-wake zone, move to section 7. If the area meets no-wake zone criteria but the proposed area exceeds the need to address the issues, recommend appropriately sized area and attach map with changes.

A. PROPOSED

- If approved, does no-wake zone extend into a designated channel?
 YES Distance extended into channel: 750'
 NO
- Total distance travelled at no-wake speed (in feet): Approx. 2400'
- Estimated travel time through propose area at no-wake speed: 6 minutes @ 5 mph (4.3 knots)
- Width of proposed no-wake zone (in feet): Narrowest: 720' Widest: 1560'
- Does proposed no-wake zone meet criteria for consideration?
 YES: Appropriately sized
 YES: Adjusted size recommended
 NO
- Description/Explanation of adjusted size

The new "S" Bridge has changed flow of boat traffic in the area and this proposal would help mitigate current issues before someone gets injured or killed. The majority of boat traffic leaving the bridge will turn right heading East/South East. Without local knowledge one would believe that the water depth is sufficient however the opposite is true. A large shoal extends out into the Perquimans River from the Hertford Town shore for approximately 450'. With the recent replacement of the "S" Bridge and the movement of the navigational span of the bridge to the South East, groundings on this shoal have become common. No injuries or fatalities have occurred as of yet however, there is a real possibility without action. The old "S" Bridge's navigational span was more centralized and encouraged boaters to follow the center of the river and avoid the shoal. District staff would support an amended size to the current No Wake Zone for this area however, the current proposal to extend the No Wake Zone encompassing Day Marker #9 is not needed. Our recommendation would be to extend the NWZ from the point at 36.193370° -76.463675° running North to Day Marker #11, North West to 36.195300° -76.465179°, and then South to 36.194290° -76.466556° (Map Attached). This area would encompass the navigational area of the "S" Bridge and limit the boaters ability to get up on plane before the Shoal. Additionally, to address concerns of the continuation of the Shoal towards Day Marker #9 District Staff would support the placing of Danger Buoys that would alert boaters to the Shoaling and the need to stay within the navigational channel of the river.
- Adjusted map attached



NO-WAKE ZONE INVESTIGATION MATRIX

SECTION 7: OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

- Does the proposed area meet the criteria to be recommended as a no-wake zone?

YES:

NO:

- Justification:

The new "S" Bridge has changed flow of boat traffic in the area and this proposal would help mitigate current issues before someone gets injured or killed. The majority of boat traffic leaving the bridge will turn right heading East/South East. Without local knowledge one would believe that the water depth is sufficient however the opposite is true. A large shoal extends out into the Perquimans River from the Hertford Town shore for approximately 450'. With the recent replacement of the "S" Bridge and the movement of the navigational span of the bridge to the South East, groundings on this shoal have become common. No injuries or fatalities have occurred as of yet however, there is a real possibility without action. The old "S" Bridge's navigational span was more centralized and encouraged boaters to follow the center of the river and avoid the shoal. District staff would support an amended size to the current No Wake Zone for this area however, the current proposal to extend the No Wake Zone encompassing Day Marker #9 is not needed. Our recommendation would be to extend the NWZ from the point at 36.193370° -76.463675° running North to Day Marker #11, North West to 36.195300° -76.465179°, and then South to 36.194290° -76.466556° (Map Attached). This area would encompass the navigational area of the "S" Bridge and limit the boaters ability to get up on plane before the Shoal. Additionally, to address concerns of the continuation of the Shoal towards Day Marker #9 District Staff would support the placing of Danger Buoys that would alert boaters to the Shoaling and the need to stay within the navigational channel of the river.

Officer: J. Doshen 237

Date: 9/21/2022

Sergeant: _____

Date: _____

15A NCAC 10F .0355 (a) (1) (B) - No Wake Zone Extension
"S" Bridge in Town of Hertford, Perquimans River, Perquimans County





**Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rule
15A NCAC 10F .0355 – Perquimans County,
Town of Hertford**

Contact: Ashley Pekrul
Regulatory Analyst
[REDACTED]

Betsy Haywood
Water Safety Rules Coordinator
[REDACTED]

Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Impact: No

Authority: G.S. 75A-3; 75A-15

The proposed amendment to 15A NCAC 10F .0355(a)(1)(B) – Perquimans County (APPENDIX 1), will extend a no-wake zone 190 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S-Bridge, in the navigation channel, and to the east and southward to the shoreline of a portion of the Perquimans River in the Town of Hertford. The current no-wake zone ends 75 yards northeast of the Perquimans River Bridge.

The Town of Hertford applied for rulemaking to mitigate hazards to boater safety. The recent replacement of the Perquimans River Bridge moved the navigational span of the bridge to the southeast where there are large shoals extending outward from the shoreline and created maneuverability issues in the very shallow waters outside the narrow navigational channel. The no-wake zone extension encompasses the navigation channel and limits vessel ability to travel on plane before approaching the shoal.

State Impact Analysis: The WRC is responsible for maintenance of buoys once installed. It is anticipated that the total annual cost to maintain the markers will be no more than \$200.00 (assuming the chain and anchor are not needed) and only if a marker is destroyed and must be replaced. Costs to maintain no-wake markers will be covered under existing funds budgeted for maintenance and upkeep and only upon request.

Local Impact Analysis: The Town of Hertford is responsible for purchase and placement of two additional markers to mark the extended no-wake zone 190 yards northeast of the bridge at a line from a point in the river at 36.19530 N, 76.46518 W, eastward to Day Marker 11, and southward back to the town shoreline at 36.19337 N, 76.46367 W. Two technicians' time to place two buoys will be \$116.00 (4 hours x \$29¹/hr = \$116). Cost for two buoys to be purchased and installed will be \$400.00 (\$200/buoy x 2 = \$400), for a total cost by the Town of Hertford of \$516.00.

¹ Calculated using average salary and benefits of current technicians as of November 2022.

Private Impact: The rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost because of this rule, but their behavior will be restricted in that boaters will be required to reduce speeds for a longer distance in the navigation channel and waters near the shoreline of the Town of Hertford. The reduction in speed has the potential to improve boating traffic safety and reduce the potential for collisions. Given the increasing safety and navigation hazards caused by increasing development in this area, these potential benefits are likely to be realized; however, these benefits could not be quantified.

Substantial Economic Impact: There will be no substantial economic impact to the public.

APPENDIX 1

15A NCAC 10F .0355 PERQUIMANS COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters:

- (1) Perquimans River:
 - (A) the canals of Holiday Island subdivision at Albemarle Sound; and
 - (B) ~~Town of Hertford: the part of the Perquimans River beginning 75 yards northeast of the Perquimans River Bridge, otherwise known as the Hertford S-shaped Bridge, parallel to the bridge, shore to shore, and ending approximately 550 yards southwest, at a line from a point on the north shore 36.19305 N, 76.46957 W to a point on the south shore at 36.19150 N, 76.47099 W.~~ Town of Hertford: 550 yards southwest of the Perquimans River Bridge on U.S. Highway 17 Business, otherwise known as the Hertford S - Bridge, at a line from a point on the north shore at 36.19305 N, 76.46957 W to a point on the south shore at 36.19150 N, 76.47099 W, and 190 yards northeast of the bridge at a line from a point in the Perquimans River at 36.19530 N, 76.46518 W, eastward to Day Marker #11, then southeast to a point on the shore at 36.19337 N, 76.46367 W.
- (2) Yeopim River:
 - (A) the canal between Navaho Trail and Cherokee Trail beginning at a point at 36.07893 N, 76.42278 W;
 - (B) the canal between Cherokee Trail and Ashe Street beginning at a point at 36.07865 N, 76.42603 W;
 - (C) within 50 yards of the boat ramp at Ashe and Pine Street;
 - (D) the canal between Pine Street and Linden Street beginning at a point at 36.07951 N, 76.43402 W;
 - (E) the canal between Willow Street and Evergreen Drive beginning at a point at 36.08005 N, 76.43735 W;
 - (F) the canal between Sago Street and Alder Street beginning at a point at 36.07986 N, 76.44063 W; and
 - (G) Bethel Creek north of a line from a point on the west shore at 36.09566 N, 76.47928 W to a point on the east shore at 36.09534 N, 76.47738 W to a line from a point on the west shore at 36.10532 N, 76.48080 W to a point on the east shore at 36.10516 N, 76.48047 W.
- (3) Yeopim Creek:
 - (A) the canal between Mohave Trail and Iowa Trail beginning at a point at 36.08521 N, 76.41802 W;
 - (B) the canal between Iowa Trail and Shawnee Trail beginning at a point at 36.08511 N, 76.41763 W;
 - (C) the area within 75 yards of the Albemarle Plantation Marina Piers;
 - (D) the area of the cove known as Beaver Cove, shore to shore beginning at a point at 36.08767 N, 76.42151 W; and
 - (E) the waters of Yeopim Creek adjacent to Heritage Shores North, shore to shore, east of a line from a point on the north shore at 36.11356 N, 76.43138 W to a point on the south shore at 36.11288 N, 76.43173 W, to a line northwest from a point on the east shore at 36.11219 N, 76.42445 W to a point on the west shore at 36.11178 N, 76.42596 W.
- (4) Little River: the entrance to the cove known as Muddy Gut Canal that extends from the waters known as Deep Creek, shore to shore beginning at a line from a point on the east shore at 36.17729 N, 76.28011 W to a point on the west shore at 36.17667 N, 76.28331 W.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated area described in Paragraph (a) of this Rule.

(c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the swimming area at the Snug Harbor Park and Beach on the Yeopim River.

(d) Placement of Markers. The Board of Commissioners of Perquimans County shall be the designated for placement of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. November 1, 1988;

Amended Eff. October 1, 1992;
Temporary Amendment Eff. October 1, 1997;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000;
Amended Eff. January 1, 2015; September 1, 2013; May 1, 2006; June 1, 2005; July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December
6, 2016;
Amended Eff. October 1, 2018; June 1, 2017.

EXHIBIT Q

December 8, 2022



**Proposed Amendment to 15A NCAC 10D .0232 Gull Rock Game Land in
Hyde County
Recommended by Agency Staff for Public Notice, Comment, and Presentation
at Public Hearing**

This rule was adopted as part of the 2022-2023 annual rulemaking cycle. During technical corrections, a typographical error was made removing “Tuesday” from the December Bear Season.

15A NCAC 10D .0232 Gull Rock Game Land in Hyde County (page 2)

15A NCAC 10D .0232 GULL ROCK GAME LAND IN HYDE COUNTY

Gull Rock is a Seven Days per Week Area, in which the following applies:

- (1) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (2) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:
 - (a) the opening and closing days of the applicable waterfowl seasons;
 - (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
 - (c) Tuesdays and Saturdays of the applicable waterfowl season.
- (3) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (4) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.

EXHIBIT R-1

December 8, 2022



Public Comments for 15A NCAC 10I .0103, .0104, and .0105 State Listed Species Rules - Recommended by Agency Staff for Adoption

Position	Comment
Agree (.0104)	I think it would be beneficial to add insects to the list, especially given the decline of pollinator habitat and how insects form the base of the food chain for all bigger animals. I'm thinking particularly of the monarch butterfly, bee populations, and many other insects that are commercially, aesthetically, and ethically valuable to warrant state protection and conservation efforts. The world's insect population is in decline and I think it's in part because they are left off of lists like these as though their conservation didn't matter.

One public hearing was held on October 13, 2022

EXHIBIT R-2

December 8, 2022



Proposed Amendments to 15A NCAC 10I .0100 - State Listed Species Rules Recommended by Agency Staff for Adoption

The NCWRC periodically reviews and updates taxa group classifications. The following changes are deemed necessary.

15A NCAC 10I .0103 Endangered Species Listed

- 1) Add the following species to endangered species list: Carolina madtom, little brown bat, and tricolored bat
- 2) Remove Atlantic pigtoe from the endangered species list
15A NCAC 10I .0103 Endangered Species Listed (pages 2-3)

15A NCAC 10I .0104 Threatened Species Listed

- 1) Add the following species to threatened species list: Neuse River waterdog, Atlantic pigtoe, blotched chub, ironcolor shiner, Santee chub, and thicklip chub
- 2) Remove Carolina madtom from the threatened species list
15A NCAC 10I .0104 Threatened Species Listed (pages 4-5)

15A NCAC 10I .0105 Special Concern Species Listed

- 1) Add the following species to special concern species list: Collinses' mountain chorus frog and seagreen darter
- 2) Remove the following species from the special concern species list: Mountain chorus frog, Neuse River waterdog, and Pungo white footed mouse
- 3) Make technical corrections to the scientific name of Carolina swamp snake and eastern slender glass lizard.
15A NCAC 10I .0105 Special Concern Species Listed (pages 6-8)

15A NCAC 10I .0103 ENDANGERED SPECIES LISTED

(a) The following species of resident wildlife shall be designated as federally-listed endangered species:

- (1) Amphibians: None Listed At This Time.
- (2) Birds:
 - (A) Bachman's warbler (*Vermivora bachmanii*);
 - (B) Ivory-billed woodpecker (*Campephilus principalis*);
 - (C) Piping plover (*Charadrius melodus circumcinctus*);
 - (D) Red-cockaded woodpecker (*Dryobates borealis*); and
 - (E) Roseate tern (*Sterna dougallii dougallii*).
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
 - (A) Cape Fear shiner (*Notropis mekistocholas*);
 - ~~(B)~~ (C) Carolina madtom (*Noturus furiosus*);
 - ~~(B)~~~~(C)~~ (D) Roanoke logperch (*Percina rex*);
 - ~~(C)~~~~(D)~~ (E) Shortnose sturgeon (*Acipenser brevirostrum*), when found in inland fishing waters as defined in G.S. 113-129(9)a and (9)b.; and
 - ~~(D)~~~~(E)~~ (F) Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), when found in inland fishing waters.
- (5) Mammals:
 - (A) Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*);
 - (B) Eastern cougar (*Puma concolor*);
 - (C) Gray bat (*Myotis grisescens*);
 - (D) Indiana bat (*Myotis sodalis*);
 - (E) Manatee (*Trichechus manatus*), when found in inland fishing waters; and
 - (F) Virginia big-eared bat (*Corynorhinus townsendii virginianus*).
- (6) Mollusks:
 - (A) Appalachian elktoe (*Alasmidonta raveneliana*);
 - (B) Carolina heelsplitter (*Lasmigona decorata*);
 - (C) Dwarf wedgemussel (*Alasmidonta heterodon*);
 - (D) James spinymussel (*Parvaspina collina*);
 - (E) Littlewing pearlymussel (*Pegias fabula*);
 - (F) Tan riffleshell (*Epioblasma florentina walkeri*); and
 - (G) Tar River spinymussel (*Parvaspina steinstansana*).
- (7) Reptiles:
 - (A) Kemp's ridley seaturtle (*Lepidochelys kempii*);
 - (B) Atlantic hawksbill seaturtle (*Eretmochelys imbricata imbricata*); and
 - (C) Leatherback seaturtle (*Dermochelys coriacea*).

(b) The following species of resident wildlife shall be designated as State-listed endangered species:

- (1) Amphibians:
 - (A) Gopher frog (*Rana [=Lithobates] capito*);
 - (B) Hickory Nut Gorge green salamander (*Aneides caryaensis*);
 - (C) Ornate chorus frog (*Pseudacris ornata*); and
 - (D) River frog (*Rana [=Lithobates] heckscheri*).
- (2) Birds:
 - (A) American peregrine falcon (*Falco peregrinus anatum*);
 - (B) Bewick's wren (*Thryomanes bewickii*);
 - (C) Common tern (*Sterna hirundo*);
 - (D) Henslow's sparrow (*Centronyx henslowii*); and
 - (E) Wayne's black-throated green warbler (*Setophaga virens waynei*).

- (3) Crustacea:
 (A) Bennett's Mill cave water slater (*Caecidotea carolinensis*); and
 (B) Waccamaw crayfish (*Procambarus braswelli*).
- (4) Fish:
 (A) Blotchside logperch (*Percina burtoni*);
 (B) Bridle shiner (*Notropis bifrenatus*);
 (C) Orangefin madtom (*Noturus gilberti*);
 (D) Paddlefish (*Polyodon spathula*);
 (E) Robust redhorse (*Moxostoma robustum*);
 (F) Rustyside sucker (*Thoburnia hamiltoni*);
 (G) Sharpnose darter (*Percina oxyrhyncus*); and
 (H) Stonecat (*Noturus flavus*).
- (5) Mammals: ~~None Listed At This Time.~~
 (A) Little brown bat (*Myotis lucifugus*); and
 (B) Tricolored bat (*Perimyotis subflavus*).
- (6) Mollusks:
 (A) ~~Atlantic pigtoe (*Fusconaia masoni*);~~
 (B)(A) Barrel floater (*Utterbackiana couperiana*);
 (C)(B) Brook floater (*Alasmidonta varicosa*);
 (D)(C) Carolina creekshell (*Villosa vaughaniana*);
 (E)(D) Fragile glyph (*Glyphyalinia clingmani*);
 (F)(E) Green floater (*Lasmigona subviridis*);
 (G)(F) Greenfield rams-horn (*Helisoma eucosmium*)
 (H)(G) Knotty elimia (*Elimia christyi*);
 (I)(H) Longsolid (*Fusconaia subrotunda*);
 (J)(I) Magnificent rams-horn (*Planorbella magnifica*);
 (K)(J) Purple wartyback (*Cyclonaias tuberculata*);
 (L)(K) Savannah lilliput (*Toxolasma pullus*);
 (M)(L) Slippershell mussel (*Alasmidonta viridis*);
 (N)(M) Tennessee clubshell (*Pleurobema oviforme*);
 (O)(N) Tennessee heelsplitter (*Lasmigona holstonia*);
 (P)(O) Tennessee pigtoe (*Pleuronaia barnesiana*); and
 (Q)(P) Yellow lampmussel (*Lampsilis cariosa*).
- (7) Reptiles:
 (A) Eastern coral snake (*Micrurus fulvius fulvius*); and
 (B) Eastern diamondback rattlesnake (*Crotalus adamanteus*); and
 (C) Mimic glass lizard (*Ophisaurus mimicus*).

History Note: Authority G.S. 113-134; 113-291.2; 113-292; 113-333;
Eff. June 11, 1977;
Amended Eff. October 1, 2017; August 1, 2016; May 1, 2008; April 1, 2001; February 1, 1994;
November 1, 1991; April 1, 1991; June 1, 1990;
Readopted Eff. October 1, 2021.
Amended Eff. January 1, 2023.

15A NCAC 10I .0104 THREATENED SPECIES LISTED

(a) The following species of resident wildlife shall be designated as federally-listed threatened species:

- (1) Amphibians: ~~None Listed At This Time.~~
(A) Neuse River waterdog (Necturus lewisi)
- (2) Birds:
 - (A) Eastern black rail (*Laterallus jamaicensis jamaicensis*);
 - (B) Piping plover (*Charadrius melodus melodus*);
 - (C) Red knot (*Calidris canutus rufa*); and
 - (D) Wood stork (*Mycteria americana*).
- (3) Crustacea: None Listed At This Time.
- (4) Fish:
 - (A) Spotfin chub (*Erimonax monachus*); and
 - (B) Waccamaw silverside (*Menidia extensa*).
- (5) Mammals: Northern long-eared bat (*Myotis septentrionalis*)
- (6) Mollusks:
 - (A) Atlantic pigtoe (*Fusconaia masoni*);
 - ~~(A)(B)~~ Noonday globe (*Patera clarki nantahala*); and
 - ~~(B)(C)~~ Yellow lance (*Elliptio lanceolata*).
- (7) Reptiles:
 - (A) Bog turtle (*Glyptemys muhlenbergii*);
 - (B) American alligator (*Alligator mississippiensis*);
 - (C) Green sea turtle (*Chelonia mydas*); and
 - (D) Loggerhead sea turtle (*Caretta caretta*).

(b) The following species of resident wildlife are designated as State-listed threatened species:

- (1) Amphibians:
 - (A) Eastern tiger salamander (*Ambystoma tigrinum tigrinum*);
 - (B) Green salamander (*Aneides aeneus*);
 - (C) Junaluska salamander (*Eurycea junaluska*);
 - (D) Long-tailed salamander (*Eurycea longicauda longicauda*);
 - (E) Mabee's salamander (*Ambystoma mabeei*);
 - (F) Pine Barrens tree frog (*Hyla andersonii*); and
 - (G) Wehrle's salamander (*Plethodon wehrlei*).
- (2) Birds:
 - (A) Bald eagle (*Haliaeetus leucocephalus*);
 - (B) Caspian tern (*Hydroprogne caspia*);
 - (C) Gull-billed tern (*Gelochelidon nilotica aranea*); and
 - (D) Northern saw-whet owl (*Aegolius acadicus*).
- (3) Crustacea:
 - (A) Broad River spiny crayfish (*Cambarus spicatus*);
 - (B) French Broad crayfish (*Cambarus reburus*);
 - (C) Pamlico crayfish (*Procambarus medialis*);
 - (D) Sandhills crayfish (*Procambarus pearsei*); and
 - (E) South Mountains crayfish (*Cambarus franklini*).
- (4) Fish:
 - (A) Bigeye jumprock (*Moxostoma ariommum*);
 - (B) Blotched chub (*Erimystax insignis*)
 - ~~(B) Carolina madtom (*Noturus furiosus*);~~

- (C) Carolina pygmy sunfish (*Elassoma boehlkei*);
 - (D) Carolina redbreast (*Moxostoma* sp.);
 - (E) Ironcolor shiner (*Notropis chalybaeus*)
 - ~~(E)~~(F) Least brook lamprey (*Lampetra aepyptera*);
 - ~~(F)~~(G) Logperch (*Percina caprodes*);
 - ~~(G)~~(H) Mimic shiner (*Notropis volucellus*);
 - ~~(H)~~(I) Rosyface chub (*Hybopsis rubrifrons*);
 - ~~(I)~~(J) Sharphead darter (*Etheostoma acuticeps*);
 - (K) Santee chub (*Cyprinella zanema*)
 - ~~(J)~~(L) Sicklefin redbreast (*Moxostoma* sp.);
 - (M) Thicklip chub (*Cyprinella labrosa*)
 - ~~(K)~~(N) Turquoise darter (*Etheostoma inscriptum*); and
 - ~~(L)~~(O) Waccamaw darter (*Etheostoma perlongum*).
- (5) Mammals:
- (A) Eastern woodrat (*Neotoma floridana floridana*);
 - (B) Rafinesque's big-eared bat (*Corynorhinus rafinesquii rafinesquii*); and
 - (C) Red wolf (*Canis rufus*).
- (6) Mollusks:
- (A) Alewife floater (*Utterbackiana implicata*);
 - (B) Big-tooth covert (*Fumonelix jonesiana*);
 - (C) Cape Fear threetooth (*Triodopsis soelneri*);
 - (D) Eastern lampmussel (*Lampsilis radiata*);
 - (E) Eastern pondmussel (*Ligumia nasuta*);
 - (F) Engraved covert (*Fumonelix orestes*);
 - (G) Mountain creekshell (*Villosa vanuxemensis*);
 - (H) Notched rainbow (*Villosa constricta*);
 - (I) Rainbow (*Villosa iris*);
 - (J) Roan supercoil (*Paravitrea varidens*);
 - (K) Sculpted supercoil (*Paravitrea ternaria*);
 - (L) Smoky Mountain covert (*Inflectarius ferrissi*);
 - (M) Creeper (*Strophitus undulatus*);
 - (N) Tidewater mucket (*Leptodea ochracea*);
 - (O) Triangle floater (*Alasmidonta undulata*); and
 - (P) Waccamaw ambersnail (*Catinella waccamawensis*).
- (7) Reptiles:
- (A) Northern pine snake (*Pituophis melanoleucus melanoleucus*); and
 - (B) Southern hognose snake (*Heterodon simus*).

History Note: Authority G.S. 113-134; 113-291.2; 113-292; 113-333;
Eff. March 17, 1978;
Amended Eff. June 1, 2008; April 1, 2001; November 1, 1991; April 1, 1991; June 1, 1990;
September 1, 1989;
Temporary Amendment Eff. February 27, 2015;
Amended Eff. October 1, 2017; July 1, 2016; August 1, 2016;
Readopted Eff. October 1, 2021.
Amended Eff. January 1, 2023.

15A NCAC 10I .0105 SPECIAL CONCERN SPECIES LISTED

The following species of resident wildlife shall be designated as State-listed special concern species:

- (1) Amphibians:
 - ~~(a)~~ ~~Crevice salamander (Plethodon longicus);~~
 - (a) Collinses' mountain chorus frog (Pseudacris collinsorum);
 - ~~(a)~~(b) Crevice salamander (Plethodon longicus);
 - ~~(b)~~(c) Dwarf salamander (Eurycea quadridigitata);
 - ~~(c)~~(d) Dwarf black-bellied salamander (Desmognathus folkertsi);
 - ~~(d)~~(e) Eastern hellbender (Cryptobranchus alleganiensis alleganiensis);
 - ~~(e)~~(f) Four-toed salamander (Hemidactylum scutatum);
 - ~~(f)~~(g) Gray treefrog (Hyla versicolor);
 - ~~(g)~~(h) Mole salamander (Ambystoma talpoideum);
 - ~~(h)~~ Mountain chorus frog (Pseudacris brachyphona);
 - (i) Mudpuppy (Necturus maculosus);
 - ~~(j)~~ Neuse River waterdog (Necturus lewisi);
 - ~~(k)~~(j) Southern chorus frog (Pseudacris nigrita);
 - ~~(l)~~(k) Southern zigzag salamander (Plethodon ventralis); and
 - ~~(m)~~(l) Weller's salamander (Plethodon welleri).
- (2) Birds:
 - (a) American oystercatcher (Haematopus palliatus);
 - (b) Bachman's sparrow (Peucaea aestivalis);
 - (c) Barn owl (Tyto alba);
 - (d) Black-capped chickadee (Poecile atricapillus);
 - (e) Black skimmer (Rynchops niger);
 - (f) Brown creeper (Certhia americana nigrescens);
 - (g) Cerulean warbler (Setophaga cerulea);
 - (h) Glossy ibis (Plegadis falcinellus);
 - (i) Golden-winged warbler (Vermivora chrysoptera);
 - (j) Least bittern (Ixobrychus exilis);
 - (k) Least tern (Sternula antillarum);
 - (l) Little blue heron (Egretta caerulea);
 - (m) Loggerhead shrike (Lanius ludovicianus);
 - (n) Painted bunting (Passerina ciris);
 - (o) Red crossbill (Loxia curvirostra);
 - (p) Snowy egret (Egretta thula);
 - (q) Tricolored heron (Egretta tricolor);
 - (r) Vesper sparrow (Poocetes gramineus); and
 - (s) Wilson's plover (Charadrius wilsonia).
- (3) Crustacea:
 - (a) Carolina skistodiaptomus (Skistodiaptomus carolinensis);
 - (b) Carolina well diacyclops (Diacyclops jeannelli putei);
 - (c) Chowanoke crayfish (Faxonius virginensis);
 - (d) Graceful clam shrimp (Lynceus gracilicornis);
 - (e) Greensboro burrowing crayfish (Cambarus catagius);
 - (f) Hiwassee headwaters crayfish (Cambarus parrishi);
 - (g) Little Tennessee River crayfish (Cambarus georgiae);

- (h) North Carolina spiny crayfish (*Faxonius carolinensis*); and
 - (i) Oconee stream crayfish (*Cambarus chaugaensis*).
- (4) Fish:
- (a) American brook lamprey (*Lethenteron appendix*);
 - (b) "Atlantic" Highfin carpsucker (*Carpiodes sp. cf. velifer*);
 - (c) Banded sculpin (*Cottus carolinae*);
 - (d) Blue Ridge sculpin (*Cottus caeruleomentum*);
 - (e) Blueside darter (*Etheostoma jessiae*);
 - (f) Broadtail madtom (*Noturus sp.*);
 - (g) Carolina darter (*Etheostoma collis*);
 - (h) Cutlip minnow (*Exoglossum maxillingua*);
 - (i) Freshwater drum (*Aplodinotus grunniens*);
 - (j) Kanawha minnow (*Phenacobius teretulus*);
 - (k) Lake sturgeon (*Acipenser fulvescens*);
 - (l) Least killifish (*Heterandria formosa*);
 - (m) Mooneye (*Hiodon tergisus*);
 - (n) Mountain madtom (*Noturus eleutherus*);
 - (o) Ohio lamprey (*Ichthyomyzon bdellium*);
 - (p) Olive darter (*Percina squamata*);
 - (q) Pinewoods darter (*Etheostoma mariae*);
 - (r) River carpsucker (*Carpiodes carpio*);
 - (s) Sandhills chub (*Semotilus lumbee*);
 - (t) ~~Seagreen darter (*Etheostoma thalassinum*);~~
 - ~~(u)~~ Sickle darter (*Percina williamsi*);
 - ~~(v)~~ Smoky dace (*Clinostomus sp.*);
 - ~~(w)~~ Striped shiner (*Luxilus chrysocephalus*);
 - ~~(x)~~ Snubnose darter (*Etheostoma simoterum*);
 - ~~(y)~~ "Thinlip" chub (*Cyprinella sp. cf. zanema*);
 - ~~(z)~~ Waccamaw killifish (*Fundulus waccamensis*);
 - ~~(aa)~~ Westfall's Darter (*Percina westfalli*);
 - ~~(ab)~~ Wounded darter (*Etheostoma vulneratum*); and
 - ~~(bc)~~ Yellowfin shiner (*Notropis lutipinnis*);
- (5) Mammals:
- (a) Allegheny woodrat (*Neotoma magister*);
 - (b) Buxton Woods white-footed mouse (*Peromyscus leucopus buxtoni*);
 - (c) Coleman's oldfield mouse (*Peromyscus polionotus colemani*);
 - (d) Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*);
 - (e) Eastern small-footed bat (*Myotis leibii leibii*);
 - (f) Florida yellow bat (*Lasiurus intermedius floridanus*);
 - ~~(g) Pungo white-footed mouse (*Peromyscus leucopus easti*);~~
 - ~~(h)~~ Southeastern bat (*Myotis austroriparius*);
 - ~~(i)~~ Southern rock vole (*Microtus chrotorrhinus carolinensis*); and
 - ~~(j)~~ Star-nosed mole (*Condylura cristata parva*).
- (6) Mollusks:
- (a) Appalachian gloss (*Zonitoides patuloides*);
 - (b) Bidentate dome (*Ventridens coelaxis*);
 - (c) Black mantleslug (*Pallifera hemphilli*);
 - (d) Blackwater ancyliid (*Ferrissia hendersoni*);
 - (e) Blue-foot lancetooth (*Haplotrema kendeighi*);

- (f) Cape Fear spike (*Elliptio marsupiobesa*);
- (g) Clingman covert (*Fumonelix wheatleyi clingmanicus*);
- (h) Dark glyph (*Glyphyalinia junaluskana*);
- (i) Dwarf proud globe (*Patera clarki clarki*);
- (j) Dwarf threetooth (*Triodopsis fulciden*);
- (k) Fringed coil (*Helicodiscus fimbriatus*);
- (l) Glossy supercoil (*Paravitrea placentula*);
- (m) Great Smoky slitmouth (*Stenotrema depilatum*);
- (n) High mountain supercoil (*Paravitrea andrewsae*);
- (o) Honey glyph (*Glyphyalinia vanattai*);
- (p) Lamellate supercoil (*Paravitrea lamellidens*);
- (q) Mirey Ridge supercoil (*Paravitrea clappi*);
- (r) Open supercoil (*Paravitrea umbilicaris*);
- (s) Pink glyph (*Glyphyalinia pentadelphia*);
- (t) Pod lance (*Elliptio folliculata*);
- (u) Queen crater (*Appalachina chilhoweensis*);
- (v) Ramp Cove supercoil (*Paravitrea lacteodens*);
- (w) Ridged lioplax (*Lioplax subcarinata*);
- (x) Roanoke slabshell (*Elliptio roanokensis*);
- (y) Saw-tooth disc (*Discus bryanti*);
- (z) Seep mudalia (*Leptoxis dilatata*);
- (aa) Spike (*Euryxia dilatata*);
- (bb) Spiral coil (*Helicodiscus bonamicus*);
- (cc) Velvet covert (*Inflectarius subpalliatu*);
- (dd) Waccamaw amnicola (*Amnicola* sp.);
- (ee) Waccamaw siltsnail (*Cincinnati* sp.); and
- (ff) Wavy-rayed lampmussel (*Lampsilis fasciola*).

(7) Reptiles:

- (a) Carolina pigmy rattlesnake (*Sistrurus miliarius miliarius*);
- (b) Carolina swamp snake (~~*Seminatrix pygaea paludis*~~; (*Liodytes pygaea paludis*);
- (c) Carolina watersnake (*Nerodia sipedon williamengelsi*);
- (d) Cumberland slider (*Trachemys scripta troostii*);
- (e) Diamondback terrapin (*Malaclemys terrapin*);
- (f) Eastern chicken turtle (*Deirochelys reticularia reticularia*);
- (g) Eastern coachwhip (*Coluber* (=Masticophis) *flagellum flagellum*);
- (h) Eastern slender glass lizard (*Ophisaurus attenuatus attenuatus longicaudus*);
- (i) Eastern spiny softshell (*Apalone spinifera spinifera*);
- (j) Northern map turtle (*Graptemys geographica*);
- (k) Outer Banks kingsnake (*Lampropeltis getula sticticeps*);
- (l) Stripeneck musk turtle (*Sternotherus minor peltifer*); and
- (m) Timber rattlesnake (*Crotalus horridus*).

History Note: Authority G.S. 113-134; 113-291.2; 113-292; 113-333;

Eff. September 1, 1989;

Amended Eff. October 1, 2017; August 1, 2016; May 1, 2008; July 18, 2002; April 1, 2001;

November 1, 1991; April 1, 1991; June 1, 1990;

Readopted Eff. October 1, 2021.

Amended Eff. January 1, 2023

EXHIBIT S-1

December 8, 2022



Public Comments for 15A NCAC 10B .0201 Prohibited Taking and Manner of Take

Position	Comment
Support (4)	Using deer extracts should be allowed.
No Preference (6)	Need to explain the content of the rule change in simple terms
Disagree (7)	<p>(f) Those animals not classified as game animals in G.S. 113-129(7c), and for which a season is set under this 34 Section, may be taken during the hours and methods authorized for taking game animals.</p> <p>The problem with this is raccoons and opossums may be taken at night while other game species may not (excluding local fox laws) .</p> <p>The NCWRC needs to clarify this. Can non game animals other than coyotes and feral pigs be taken at night?</p>

One public hearing was held on October 4, 2022

EXHIBIT S-2

December 8, 2022



Proposed Amendments to 15A NCAC 10B .0201 Prohibited Taking and Manner of Take - Recommended by Agency Staff for Readoption

Incorporate required exceptions to the prohibition on possession and use of any substance that contains or is labeled as containing any excretion collected from a cervid for the purpose of taking wildlife.

This rule was amended during the 2020-2021 Annual Cycle to prohibit possession and use of natural substances containing cervid excretions (excluding substances collected from deer harvested in NC) for the purposes of taking or attracting wildlife. However, 10 letters of objection to this change were received by the Rules Review Commission, thus subjecting it to legislative review. Session Law 2021-176 disapproved the amendments to the rule and provided exceptions to the prohibition. The Commission is required to adopt these amendments.

Part of the periodic review.

10B .0101 Importation of Wild Animals and Birds (page 2-3)

15A NCAC 10B .0201 PROHIBITED TAKING AND MANNER OF TAKE

(a) ~~It is unlawful for any~~ No person to shall take, or have in their possession, any wild animal or wild bird listed in this Section except during the open seasons and in accordance with the limits herein prescribed, or as prescribed by 15A NCAC 10B .0300 pertaining to trapping or 15A NCAC 10D applicable to game lands managed by the Wildlife Resources Commission, unless otherwise permitted by law. ~~Lawful seasons and bag limits for each species apply beginning with the first day of the listed season and continue through the last day of the listed season, with all dates being included. When any hunting season ends on a January 1 that falls on a Sunday, that season shall be extended to Monday, January 2.~~

(b) Lawful seasons and bag limits for each species apply beginning with the first day of the listed season and continue through the last day of the listed season, with all dates being included.

(c) When any hunting season ends on a January 1 that falls on a Sunday, that season shall be extended to Monday, January 2.

~~(b)~~ (d) On Sundays, hunting on private lands shall be allowed under the following conditions:

- (1) archery equipment as described in 15A NCAC 10B .0116, falconry, and dogs where and when allowed the other days of the week are lawful methods of take, except as prohibited in G.S. ~~103-2; 103-2;~~
- (2) firearms are lawful methods of take when used as described in G.S. 103-2; and
- (3) migratory game birds may not be taken.

~~(e) On Sundays, hunting on public lands is allowed with the following restrictions:~~

- ~~(1) only falconry and dogs used in conjunction with falconry are lawful methods of take; and~~
- ~~(2) migratory game birds may not be taken.~~

~~These restrictions do not apply to military installations under the exclusive jurisdiction of the federal government.~~

(e) On Sundays, the following shall be prohibited on public game lands:

- (1) hunting with a firearm between 9:30 AM and 12:30 PM;
- (2) the use of a firearm to take deer that are run or chased by dogs;
- (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 32 14-54.1(b), or any accessory structure thereof; and
- (4) hunting migratory game birds

Except for migratory game bird these restrictions do not apply to military installations under the exclusive jurisdiction of the federal government.

~~(d)~~ (f) Those animals not classified as game animals in G.S. 113-129(7c), and for which a season is set under this Section, may be taken during the hours and methods authorized for taking game animals.

(g) No person shall possess or use any substance or material that contains or is labeled as containing any excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid for the purposes of taking or attempting to take, attracting, or scouting wildlife. This prohibition shall not apply to the following substances:

- (1) Products containing synthetic analogs of cervid excretions and labeled as such.

- (2) Products consisting of or containing natural substances collected by a hunter from a legally harvested cervid in North Carolina.
- (3) Natural substances collected from facilities within North Carolina that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and Consumer Services and are labeled as such.
- (4) Natural deer urine products containing excretions from facilities within North Carolina that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and Consumer Services and are labeled as such.
- (5) Natural deer urine products containing excretions from facilities that meet all the following requirements and are labeled as such:
 - (A) Determined to be free of chronic wasting disease (CWD) based on testing by an independent laboratory using a method that may help detect the presence of CWD prions.
 - (B) Complies with a federally approved CWD herd certification program and any federal CWD protocols.
 - (C) Participates in additional herd management requirements as specified by the Wildlife Resources Commission.

(e) (h) Where local laws govern hunting, or are in conflict with this Subchapter, the local law shall prevail.

*History Note: Authority G.S. 103-2; 113-291.1(a); 113-134; 113-291.2; 113-291.3;
Eff. February 1, 1976;
Amended Eff. May 1, 2016; August 1, 2012; July 10, 2010; July 1, 1996; July 1, 1987;*

EXHIBIT T



2023 WILDLIFE RESOURCES COMMISSION MEETINGS

DRAFT SCHEDULE

THURSDAY, FEBRUARY 23, 2023

THURSDAY, MARCH 30, 2023 (Out of Cycle Webinar)

THURSDAY, APRIL 20, 2023

THURSDAY, JULY 13, 2023

THURSDAY, AUGUST 24, 2023

THURSDAY, OCTOBER 26, 2023

THURSDAY, DECEMBER 7, 2023

Exhibit U

Approval Process for Stocking Fish, Freshwater Mussels, Crayfish, and Snails into North Carolina Waters

December 8, 2022

The stocking of fish, freshwater mussels, crayfish, and snails into suitable habitats is recognized as an important and necessary management tool to abate species declines, restore aquatic communities, and enhance angling opportunities. Stocking, in conjunction with habitat improvements, may increase the number of viable populations, thereby keeping common species common, precluding listing, promoting delisting, and ultimately preventing the extinction of aquatic species from North Carolina.

This document provides guidelines for the release of fish, freshwater mussels, crayfish, and snails into North Carolina waters and outlines the required level of approval.

Approach

All stocking of fish and freshwater mussels will be conducted in accordance with species management, conservation, and/or recovery plans. For any proposed new stocking efforts, staff will document the purpose and approach, and seek the appropriate level of approval prior to releasing individuals.

Stockings are categorized into three types: Augmentation, Reintroduction, and Introduction, as defined in Table 1. The species will be characterized based on its status: not state or federally listed; state listed; federally listed, candidate, or petitioned (Covered by SHA/CCAA); and federally listed, candidate, or petitioned (Not covered by SHA/CCAA) (Table 1). The level of approval required will be by the Agency, Commission’s Habitat, Nongame, and Endangered Species Committee (HNGES), or Commission based on a combination of type of stocking and species’ status (Table 2).

Table 1. Definitions for approval process for stocking fish, freshwater mussels, crayfish, and snails into North Carolina waters.

Agency	NC Wildlife Resources Commission Executive Director or their designee
Augmentation	The release of individuals of a species within the geographic boundaries of an existing local population
Candidate	Species for which the U.S. Fish and Wildlife Service has sufficient information on its biological status and threats to propose the species as endangered or threatened under the Federal Endangered Species Act
Commission	NC Wildlife Resources Commission 19-member board
HNGES	NC Wildlife Resources Commission’s Habitat, Nongame, and Endangered Species Committee
Federally listed	Any native or once-native species of wild animal designated by the U.S. Fish and Wildlife Service under the Federal Endangered Species Act (16 U.S.C. 1531 to 1543) as Federally Listed as Endangered or Federally Listed as Threatened
Introduction	The release of individuals of a species outside of its historically accepted geographic range
Petitioned	Species for which the U.S. Fish and Wildlife Service has received a formal request to list as endangered or threatened species under the Federal Endangered Species Act
Reintroduction	The release of individuals of a species where the species is not currently present and outside the geographic boundaries of an existing local population, but within the historically accepted geographic range
SHA/CCAA	Safe Harbor Agreement and Candidate Conservation Agreement with Assurances
State listed	Any native or once-native species of wild animal designated by the North Carolina Wildlife Resources Commission under the State Endangered Species Act (G.S. 113-331 to 113-337) as North Carolina Endangered, North Carolina Threatened, and North Carolina Special Concern

Exhibit U

Table 2. Approval matrix for stocking fish, freshwater mussels, crayfish, and snail into North Carolina waters.

Species Status	Augmentation	Type of Stocking	
		Reintroduction	Introduction
Not state or federally listed	Agency approval	Agency approval	Agency approval
State listed	Agency approval	HNGES approval	HNGES approval
Federally listed, candidate, or petitioned (Covered by SHA/CCAA)	HNGES approval	HNGES approval	HNGES approval
Federally listed, candidate, or petitioned (Not covered by SHA/CCAA)	HNGES approval	Commission approval	Commission approval